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WHY OUR NEWEST WEAPONS ARE HITTING THE GROUND INSTEAD OF THE ENEMY

BY ERIC UMANSKY

Reviews by Nicholas Lemann and Michael Lind

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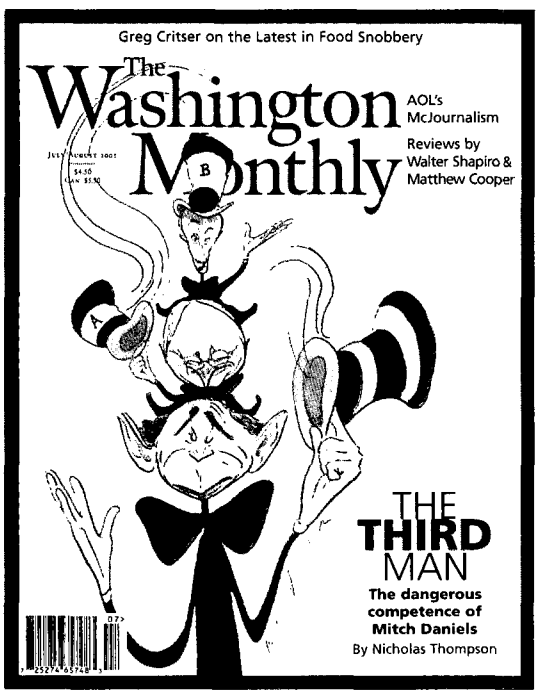

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Letters

T.V. Diplomacy

It is difficult to believe that Mr. Peters and I heard the same Fox News interview with the former ambassador to Mauretania, Edward Peck ("Tilting at Windmills," October 2001). Instead of the mentioned contempt exhibited by David Asman, the interviewer, I felt that Mr. Peck was treated with admirable restraint, considering that his views could be considered highly inimical to the U.S., particularly in the aftermath of the atrocities at the World Trade Center and the Pentagon. Mr. Peck blamed the U.S. for perceived transgressions against Iraq. His claim that the U.S. constantly violates Iraqi territory by monitoring flights over that nation ignores the conditions of the agreement that ended the Persian Gulf conflict allowing such overflights.

Certainly Mr. Peck did not hold a prestigious ambassadorship. He served in Mauretania, not exactly at the hub of the Arab or Muslim world by its location in northwest Africa, and having a population of about two million. His other lower-level postings included Egypt from 1974 to 1977 and 1980 to 1982 and Iraq from 1977 to 1980, with his 1982 posting essentially closing out his career. His present position as a business consultant for foreign interests reflects a too-frequent career path for retired diplomats in which the interests of the nation to which they were posted become more important than those of the United States to the detriment of the foreign policy of our government.

NELSON MARANS
Silver Spring, Md.

Carr Talk

What is David Carr's gripe with Amtrak ("Slower Than a Speeding Bullet," October 2001)? His article is a snide mix of inaccuracies and slurs not befitting your magazine. Is he bothered by the lack of stewardesses serving free lobster salad sandwiches or the cell-phone user? On my Acela trip, I sat in the cell-free car available for the choosing, and when an illiterate disobeyed the message and prattled away, the genial conductor marched himself down the aisle on my behalf and stilled the offender. There's service!

Carr's inattention to environmental issues is also striking. Automobiles cause sprawl, pollution, contribute 30 percent to global warming, and planes are even more deadly to the stratosphere. And then there is national security. In the midst of a chance to fund Amtrak, the $15 billion bailout to airlines with nothing yet to rail is putting all our transportation eggs in one fragile basket. Alas, this article is not only laughable and suspect in itself, but a depressing commentary on *The Washington Monthly* under a new regime. Where are you, Charlie Peters, when we need you?

JANE HOLTZ KAY
via email

Editing Nonsense

The most recent issue of *The Washington Monthly* is perhaps the best edited in a long time. By that I mean much obvious nonsense has been eliminated and both author and editor have much better anticipated questions that readers might ask. Mr. Peters's column is the best in a long time. Mr. Coates's article on how President Bush could attract black voters was a delight. I was rolling on the floor while Mr. Coates made his rather serious points. Whatever was done, keep it up.

FRED GREF
Concord, N.H.

Stormin' Norman

Current efforts to romanticize the life of Norman Rockwell, and thereby make him into an "artist," should not surprise anyone with a serious interest in art ("Reconstructing Rockwell," October 2001). Although Rockwell was delighted to be called an "illustrator," that word in a serious art context has unfortunately always been a pejorative.

Precisely for that reason, Thomas Krens of the Guggenheim Museum and others who relentlessly pursue a policy of trivializing art (having already done homages to the Armani rag trade and Harley Hawg Heaven) have chosen Rockwell for the next level. Art has never had to worry about the Philistines at the gates. The dangerous ones are on the inside. Let us look forward to a retrospective of Walter Keane and Co., the painter of the big-eyed children from the tie-dyed past.

ROBERT J. SINDELIR
Miami, Fla.

Nutter Butter

What I find most interesting [about "The Wisdom of Ann Coulter," October 2001] is the range of outlets providing your quotes and the time span they cover. If the purpose of the article was to say, "Hey! She's a Nutter!," then why did all of these paragons of journalistic integrity choose to use her again and again and again? Could it be because they didn't give a damn about what she was saying as long as it was controversial? Could it be, as she is quoted as saying that her looks do indeed have something to do with it?

This is particularly disturbing coming from an organization that touts: "Ever since editor-in-chief Charlie Peters founded the magazine in 1969, the *Monthly* has dissected the Beltway establishment to identify what's wrong with Washington and how we can fix it." Just talking about what she said is not dissecting, it is not fixing the problem. You are focusing on her, the symptom, rather than the disease that is slowly destroying the credibility of news organizations. If these organizations want to entertain us, fine; just stop pretending it's news or newsworthy, or even commentary.

JEFF BELIVEAU
Via Email

Center of Gravity

I picked up *The Washington Monthly* for the first time at my local library without knowing your orientation. As I read Mr. Green's article about North Carolina Sen. John Edwards ("A Trial Lawyer for President?" October 2001), it was enlightening (I didn't know about him either), and I kept looking for a slant, a hint of denigration or praise that would have given a clue to the political persuasion of your target audience. I feel that I have learned something about Edwards and the political meaning of being a trial lawyer, but still don't know

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anything about your magazine's politics. I don't even know where the writer would vote for him. Congratulations, this is journalism.

AL RODBELL
San Diego, Calif.

Corps Conservatives

I just recently read the AmeriCorps article by Senator John McCain ("Putting the National in National Service," October 2001) and I found it to be quite positive as well as somewhat ironic for a "conservative" representative to not only be supporting but also requesting the expansion of AmeriCorps. I was a member of the first "class" of AmeriCorps' NCCC program in 1994. At the time, Newt Gingrich and many other congressional Republicans associated the program with President Clinton and, therefore, wanted to stop the funding for the program altogether. Interestingly enough, the AmeriCorps legislation was originally signed under President George H. W. Bush's administration with bipartisan congressional support.

Another criticism of our program was that it promoted "paid" volunteerism, although this ignores the history of current government service programs, such as VISTA (Volunteers in Service to America), which pays people equivalent to what is at or below the poverty level for the region in which they are serving. A final piece of clarification: While the City Year program is now an AmeriCorps program, the original City Year program started in Boston years before the AmeriCorps legislation was ever written and served as a model for the AmeriCorps structure.

Thanks for providing articles that support and present positive images of our youth and the good things that are happening in the realm of service.

SHANNON M. SULLIVAN
Austin, Texas

Blowing Bubbles

The productivity conclusions reached by Karen Kornbluh in her article ("Disconnect: How Bush and Michael Powell Are Killing the New Economy and How to Turn it Around," October 2001) are questionable. Although the overall economy is faltering, it is not clear that productivity is falling. In fact, quite the opposite may be true. At the tops of bubbles, people with less marketable skills become employed, lowering productivity. These same people are often the first to lose their jobs when the economy turns south, but these losses can actually improve productivity, since these workers generally have the lowest individual productivity.

STEVE SCHEAR
Via Email

Med Pub Crawl

Your article, "Publisher Perish" (October 2001), by Nicholas Thompson, has appeal, and I am grateful for the balance that Thompson sought to bring to the article. Regardless of how appealing the idea of putting all of the information into a single PubMed Central database might be, there are still several major flaws in it.

First, you don't need a single physical database to bring things together. While the federal government's FirstGov Internet site is still working out some kinks, the fact is that you can get access to millions of federal and state websites through this single portal with its amazing search engine.

Second, PMC has the wrong business model. You don't take things that are working well in the private sector and turn them over to the government to administer. And the information that we are talking about is not necessarily public property. Under the guidelines discussed by the PMC, authors or someone else would be expected to pay the publishing cost and then turn it over for free to the PMC. Now, the costs are covered by journal fees. The PMC approach would discourage the publication of scientific information.

Finally, virtually all scholarly scientific journals are immediately available on the Internet to their members when published, and after a period of six months to a year, they are available to anyone for free. There is no need for a government-sponsored initiative in this area, and the National Institutes of Health itself doesn't seem to be pushing it any longer.

WALLACE O. KEENE
Derwood, Md.

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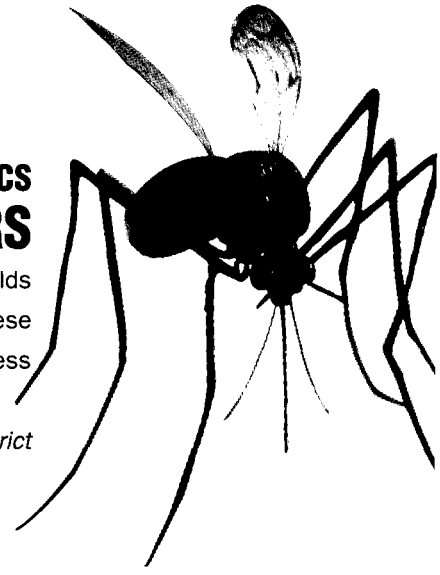
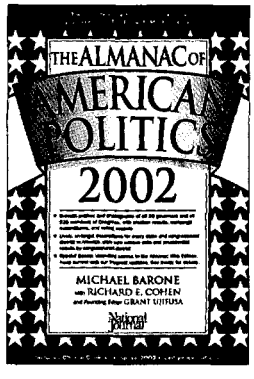
"Behind the Shore are swamp and flatland, the Pine Barrens and vegetable fields that give New Jersey the name 'Garden State.' Growth has been slow in these small towns and gas station intersections, communities in whose eerie calmness in the summer you can hear mosquitoes whining."

—*The Almanac of American Politics on New Jersey's 2nd Congressional District*





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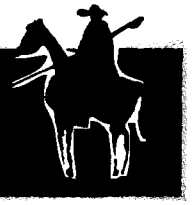
Tilting at Windmills



BY CHARLES PETERS

Lacy Underthings • The Big Number • Terrorism: The Marriage Solution
Competition for the CIA • Clientitis in Pakistan

"MARRIAGE INHIBITS ANTISOCIAL behavior among young adult males. Crime rates, for example, are highly correlated with a high percentage of unmarried young males in the population," reports the National Marriage Project at Rutgers University. This same appears to be true of terrorists, almost all of whom are single. I'm not nearly knowledgeable enough about Islamic culture to know why at least some of them have unusually large numbers of young, single males, but it seems clear that figuring out what can be done about this problem should rank high in our national priorities. Solving it might do more good than bombing rubble.

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The Washington Post RECENTLY published the floor plan for the George H. W. Bush Strategic Information Operations Center at the FBI. I noticed that about one-sixth of the total space is devoted to briefing rooms. One of them, the Executive Briefing Room, looks like a small theater. This reflects the fact that in the federal government nothing is valued higher than briefing skills. If you're a star with the pointer and the flip chart (or these days, with PowerPoint), your prospects are unlimited in both the civilian and military bureaucracies. You can even survive a name like Stufflebeem.

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JUST AFTER WE WENT TO PRESS with this column's warning about the hazard of private planes being used by terrorists, along came two news stories illustrating the danger. From Preston, Idaho, the Associated Press reported "a man stole a single-engine plane ... and dropped a homemade pipe bomb that did not explode." And from Jackson, Mississippi, *The Washington Post* reported, "Emergency management officials took samples from a Mississippi tug boat and a pleasure craft after a low-flying crop-duster sprayed them with an unknown substance." In both these cases no harm was done. But they do show how easily harm could be inflicted if these planes fell into competent hands.

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IN THE MEANTIME, THE DANGER from commercial planes continued through September, October and well into November, because the House and Senate were unable to agree on an airport security plan. Finally, after a series of horror stories about Argenbright Security, Inc. —"Just seven knives and a stun-gun? Let him through."—culminating in the news that Southwest, United, and AmericaWest airlines had just hired Argenbright to provide security at the Baltimore-Washington International Airport, the Senate finally won on Nov. 16 when both chambers passed a bill federalizing airport security.

The House bill should not be forgotten, for it was notable in its radical departure from the GOP's customary antipathy towards regulation. Republicans argued that tough regulation of private business was the best solution to threats to airline passengers' safety. Democrats should remind their colleagues of this argument the next time a health and safety issue comes up.

Another important thing to remember about the new bill is a lesson about government that this magazine has long sought to teach: However laudable a bill may be, it means nothing unless it is effectively implemented.

In the past, Congress has told the FAA to make safety reforms with only the slightest perceptible result. In 1990, 1996, and 2000, bills were passed requiring background checks for airport security workers, but the airline lobby—which even hired former FBI and CIA director William Webster—either killed or watered down these efforts, sometimes aided and abetted by Congress itself.

So it is essential that the media follow the implementation of this bill closely to make sure the reforms are actually made. For example, will the secretary of transportation really use the unusually broad discretion the bill gives him in hiring and firing screeners to hire the able and get rid of the incompetent? If Norman Mineta uses this authority skillfully, it will have important implications for the rest of government where the need for better people is not as extreme as in the case of airport screeners but is still an unhappy reality.

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A RECENT BROOKINGS SURVEY OF 1,051 civil servants throughout the federal government shows that on average they believe 23.5 percent of their fellow employees are not up to par. "We've got a very good federal work force," says Brookings' Paul Light, who conducted the survey and reported it in *Government Executive* magazine. "But we have a substantial number of poor performers." For me, the two greatest needs of the public service are more power to get rid of bad apples, and much more emphasis on attracting high-quality new hires.

Smart people can help by applying for government jobs. Here's a

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chance for them to express in a meaningful way the patriotism they say they feel.

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FOR ALL OF THOSE WHO HAVE fretted, usually futilely, about the tendency of Washington journalists to forgo important subjects in favor of scandal and the horse race between candidates, a recent episode of *The West Wing* had a line that captures the problem: "Getting political reporters to write about issues is like getting children to eat their vegetables."

Every patriotic SUV owner should trade in his gas-guzzler for an energy-efficient car.

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CONGRESSIONAL STAFFER MATTHEW Dalleck recently told Nicholas Lemann of *The New Yorker*, "One of the things I've been most struck by since I came here is that this place runs in a day-by-day, week-by-week fashion. You don't know what's going to happen, we respond to events."

I would add that in my experience the same is also true, perhaps even more so, of the White House. Each day's news dominates staff attention to the detriment of other important issues, and whatever leadership or pressure the White House exerts on the executive branch it oversees usually has far less to do with the proper long-range concerns of the agencies than with how-do-we-respond-to-this-or-that-piece-of-news? The result is that both Congress and the White House for most of the time I've been in Washington have paid little attention to making those agencies work better.

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MORE BAD NEWS FROM THE BUSH administration. It has reversed a Clinton policy that gave the Secretary of the Interior the authority to veto permits for mines on federal land if the mines could cause substantial and irreparable harm. Why on earth shouldn't the secretary have such authority? Shouldn't we the people be able to protect ourselves from the gold-mining industry that dumps cyanide into our streams? The good news is that the EPA has finally decided to adopt the Clinton standards for keeping arsenic out of our drinking water. I guess the Bush people figure they're being even-handed: tough on arsenic, tender on cyanide.

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SPEAKING OF TENderness, Harvey Pitt, the new chairman of the Securities and Exchange Commission, says that the SEC is going to be a "kinder and gentler place for accountants," adding that "somewhere along the way, accountants became afraid to talk to the SEC, and the SEC appeared to be unwilling to listen to the profession. What Pitt is doing is signaling to the accountants that the Bush administration is backing off the modest reforms Arthur Levitt, Clinton's SEC chairman, had proposed for an industry where pulling the wool over the public's eyes had become commonplace. Just recently, two of the biggest accounting firms paid multimillion-dollar fines for what *The Washington Post* calls "grossly misleading" corporate audits. This is an industry that definitely needs not softer but sterner regulation.

If you've been following the Enron story, you will know that its auditor, Arthur Andersen, a major accounting firm, let Enron get away with accounting practices so misleading that their gradual disclosure has led to the company's stock dropping from $90 a share to $8 in just one year.

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IN OUR LAST ISSUE I PRAISED THE press for the quality of its reporting in the first weeks after September 11, but since the anthrax scare began, I've begun to worry that we're returning to the days when camera crews seemed permanently fixed outside the apartments of Monica Lewinsky and Gary Condit, with a kind of obsessiveness about the tiniest detail and a ceaseless repetition of previously reported facts.

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ALTHOUGH SOME OF THE ISLAMIC hatred of the United States seems irrational, that doesn't mean we shouldn't try to elimate the reasons for the hatred that we do understand. The most important step for us to take is to pursue a peace agreement that guarantees a Palestinian state as well as the security of Israel. I would like to see news almost daily about this country's effort on behalf of a just solution in the Middle East, and to help both Muslims and Jews understand that the real threat to such a just solution is not the United States but the extremists on both sides: the Jews who killed Yitzak Rabin and the Arabs who blow up some poor Israelis every time peace appears close at hand. I keep remembering that when Clinton asked Arafat why he wouldn't go along with the agreement—seemingly favorable to Palestine—that Clinton had negotiated with Barak last fall, Arafat replied he was afraid that if he signed on he would be shot.

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WE ALSO NEED TO FREE OURSELVES from dependence on Saudi Arabia, whose regime is deeply offensive to idealistic Muslims. How do we liberate ourselves from the Saudis? Energy independence, of course. Instead of driving around waving flags from their SUVs, every patriotic owner of these gas guzzlers should trade it in for an energy-efficient car, which could fly the flag just as well. We also should dramatically increase the Strategic Petroleum Reserve. Bush is taking a first step by adding 70 million barrels to the current 543 million. But I agree with *Newsweek* economic columnist Robert Samuelson that the target should be more like 2 billion barrels, which means greatly expanding government storage facilities that currently have a capacity of only 700 million barrels.

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"ANTHRAX MENACE EXPOSES Badly Coordinated Defense," reads the October 28 headline in *The New York Times*. The same week similar stories were appearing in almost every other newspaper and magazine. It's too bad the media and Bush administration officials had not paid attention to Joshua Green's article "Weapons of Mass Confusion: There's Anthrax in the Subway. Who You Gonna Call?" in the May issue of this magazine, which made crystal clear the nation's unpreparedness for bioterrorism.

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SOMETHING THAT HAS BEEN making me nervous is that the CIA is relying, because of its own linguistic incompetence, on Pakistani intelligence for information on what's going on inside Afghanistan. Since the Pakistanis, to put it gently, have divided loyalties, wouldn't it be better to find some other way to deal with the agency's shortage of those fluent in Afghan languages? For starters, why doesn't the CIA recruit from those members of the American Afghan community who are known opponents of the Taliban? Right here in the Washington area there are at least 3,000 Afghans, and some estimates put the figure as high as 80,000. Another source of people who know Afghanistan are the many people at the State Department, USIA, AID, and Peace Corps who have worked there over the years. Some of them actually learned the languages. And what about their hundreds of sons and daughters who lived in Afghanistan while their parents were working there?

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ONE EXAMPLE IS THE FORMER Peace Corps volunteer who, *The Wall Street Journal* reports, is helping the army with its psychological warfare program in Afghanistan. Another example comes from the son of two foreign service officers who served in Pakistan, Michael Schaffer. Also a former *Washington Monthly* intern, Schaffer's recent article in *U.S. News & World Report* on ISI, the Pakistani intelligence agency, is among the most revealing I've seen. He says the ISI was the sponsor of the Taliban "whose members shared the Pashtun ethnicity and Islamic fundamentalism of many ISI agents." Many in the ISI, Schaffer says, became victims of "clientitis," identifying with the Taliban. "Elements of the ISI are reportedly helping the Taliban smuggle badly needed fuel and ammunition over the border from Pakistan." To top it all off, Schaffer says, the ISI has ties with Osama bin Laden's al Queda network, "using its terrorist camps to train violent insurgents for missions against archrival India." This, of course, is the same ISI that the CIA is said to be relying on for intelligence about Afghanistan.

I guess the Bush people figure they're being evenhanded: tough on arsenic, tender on cyanide.

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THERE MAY BE A MODEL FOR PEACE in the Middle East in what has happened in Northern Ireland. The leaders of Sinn Fein have finally asked the IRA to disarm. One of the reasons they have done so is pressure from Irish Americans whose money has supported them. Coupled with pressure British Prime Minister Tony Blair has been putting on Ulster Protestants to be reasonable, disarmament by the IRA could mean the end of a long and bitter civil war. Similar pressure on the Palestinians and Israelis by moderate Arabs, American Jews, and the U.S. government just might produce a similar result.

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WHEN YOU GET A GLOSSY mailing announcing a new magazine, you can be sure the copy has been tested so that the mailer knows that readers will respond to it. So it is not reassuring to contemplate a new mailing for *Lucky* magazine. The envelope copy for which reads,

"If 'sexy high-heeled shoes' are four of your favorite words...

"If you believe a girl can never have too many handbags, dresses, t-shirts, or lacy underthings ...

"If you know that shopping is one of life's most fabulous pleasures, then ..."

Receiving this mailing just a few weeks after the World Trade Center tragedy reminded me of why I'm offended by the consumerist binge that is being urged on us as the path to economic recovery. We had prosperity in World War II without a consumerist binge. That prosperity came from spending for public purposes. As I pointed out last month, there are great needs for public spending today, not only for antiterrorism but for education, health, and infrastructure rebuilding. The kind of national service draft that Charles Moskos and Paul Glastris recommended in our last issue would spend money and be a hell of a lot better for the nation's morale than shopping until you drop.

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AS FOR THE NEED FOR MORE money for education, consider the case of preschool in just one city. David Hornbeck, Philadelphia's former school superintendent—you may have seen that PBS special about him—says, "There are 20,000 kids in Philadelphia who are eligible for Head Start by income standards but do not have any access to pre-K because there is no pre-K for them. Then we ask ourselves when they get to kindergarten, why is it that they're two years behind their peers?"

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DID INTERIOR SECRETARY GAIL Norton mislead Congress? Recently, as she was making the case for oil drilling in the Arctic National

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Wildlife Refuge, she told a Senate subcommittee that caribou calving had been concentrated outside the proposed drilling area for 11 of the last 18 years. The opposite was true, according to *The Washington Post*'s Michael Grunwald, who adds that her testimony omitted scientific data that had been supplied her by the Fish and Wildlife Service indicating that caribou could be affected by oil drilling.

If you're a star with the pointer and the flip chart, your prospects are unlimited in both the civilian and military bureaucracies.

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SOME BAD NEWS FROM CALIFORNIA, or to be more precise, news that's not as good as we would have hoped. It concerns Proposition 36, the law that mandates treatment instead of prison for first- and second-time drug offenders. The problem is that there have turned out to be far more severe addicts than had been anticipated. In Sacramento County, seven of 10 addicts were expected to be casual drug users who would need minimal treatment, but, according to Fox Butterfield of *The New York Times*, "More than half have turned out to be hardcore addicts needing maximum treatment." That means 12 to 18 months per addict at a minimum cost of $75 dollars per day. This adds up to at least $26,375. Interestingly enough, the California board of corrections says the costs of keeping a prisoner incarcerated is $25,605, which still makes treatment seem like a pretty good deal. Unfortunately, the state's annual appropriation allows for only $2,000 per addict.

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OF THE MANY FAILURES OF THE CIA, the most dismaying for me was its inability to find out about India's plan to test a nuclear bomb in 1998 that Loch Johnson described in our July/August issue. India is an open democracy, not a closed dictatorship like the Taliban's. You can travel where you want. People are not afraid to talk to you. And lots of people had to be involved in the planning and execution of a nuclear test. But the CIA did not find out about it until after the event. It's not easy to reform an organization that screws up like that and takes eight years to spot a traitor in its midst even when he is drinking heavily and spending well beyond his income, even driving a Jaguar to work.

The CIA not only needs new people at the bottom, it needs new people at all levels of the organization. During World War II lateral entry into the upper levels of both the military and the civilian agencies was common. This meant an infusion of new blood throughout the bureaucracy. Since then, the practice has fallen into disuse. It should be revived immediately.

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AS A LAST RESORT, WE SHOULD start a new intelligence agency. FDR would use this approach when he thought the old agencies couldn't deliver. And remember, the CIA's parent agency, the Office of Strategic Services, was started fresh during World War II. You couldn't let the new organization compete with the CIA in running operations—that would be chaotic—but competition in the search for information would be healthy.

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YOU MUST READ STEVE NEAL'S new book *Harry & Ike*. It not only reminds us of how good Truman and Eisenhower were despite their faults, but of how typical they were. If you grew up in small town America, you knew other fellows like them. And that says a lot about why this country is great, despite all its faults.

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ON PEARL HARBOR DAY I HEARD the first bulletin around 2:30 p.m. Anxious to hear more news, I called my friend Jack Sears with whom I was planning to play some one-on-one basketball that afternoon, and asked him if he could bring a radio outside so we could listen while we played. But as we were shooting baskets, we became increasingly frustrated by the lack of news. Incredibly, the radio stations—remember, there was no TV—continued their regular schedules interrupted by only occasional news bulletins. Commercials continued as usual. Only one network devoted as much as one hour to coverage of the event. By contrast, according to the Associated Press, "after the September 11 attacks, the CBS television network went 93 hours covering the disaster without a commercial break."

Of course, back in 1941 we did have "extra" editions of the newspapers. They had become common early in World War II. I remember my father sending me downtown to find a news boy selling the extra that announced the Nazi invasion of France. But those extras often involved remaking only two pages of the paper, which still left you panting for more news. And for more than one or two pictures of the events you had to wait for the movie newsreels or *Life* magazine, both of which usually came a week after the event. We may have too much news on television today, but back then we had far too little.

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THE BIG STORY LOVES BIG NUMBERS. How else can we explain the repeated use of 5,000 as the number of dead from the World Trade Center, even after *The New York Times* revealed on Oct. 25 that it could not get the count above 2,950. Even New York City officials who had made the original estimate of more than 5,000 and stuck to it for quite awhile had gradually reduced their own figure to 4,300 by the first week of November. But in the November 12 issue of *U.S. News & World Report*, to take just one example, you'll find "more than 5,000" on page 47.

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Insider Baseball

Why a major league team is headed to Washington

BY DAYN PERRY

CALVIN GRIFFITH, ONETIME OWNER of the original Washington Senators baseball team, was once asked why he moved the team in 1960 from Washington, D.C., to Minnesota. Griffith paused for a moment to consider. "Black people don't go to ball games, but they'll fill up a rassling ring and put up such a chant they'll scare you to death," he replied. "We came [to Minnesota] because you've got good, hardworking white people here."

Griffith's answer may have been ugly, but in a sense, it wasn't unusual. Since time immemorial, owners of major league baseball teams have blamed others for their teams' financial failures. Griffith slighted the fans; when the District lost a second incarnation of the Senators in 1972, owners of that franchise cited the city's refusal to pony up public funds for a new stadium, an unusual practice at the time, though common today. In the 30 years since baseball left Washington, assorted advocacy groups, civic organizations, business alliances, and even lawmakers, have lobbied to return a major league franchise to the nation's capital. And for 30 years, their efforts have fallen short.

It looks like that's about to change. Economically, conditions are ripe for baseball to return to D.C. It's the last big metropolitan area without a baseball team, and, contrary to press reports, at least one existing franchise will probably be looking for a new home soon. Politically, too, the fix is in for D.C. Owners are fearful that Congress may take away a linchpin of their profits: baseball's legal monopoly. The best way to maintain this status is to give Washington lawmakers a team for their city. Moreover, the Beltway power brokers who've been working for years to bring back a major league team now have the ultimate closer: former owner, and current president, George W. Bush.

Baseball's Big Bluff

If this were a Hollywood movie, the script would call for Griffith's original Senators, the Minnesota Twins, to return to D.C. A likelier scenario involves relocating the Montreal Expos. By any measure, the team is foundering. Its home attendance last season was just 619,451, the lowest figure in franchise history and less than half of that drawn by the runner-up, the Tampa Bay Devil Rays. To put this in perspective, the Seattle Mariners drew 677,672 fans—just during the month of June.

Readers of the sports page probably saw the stories last month about how baseball owners had voted to disband two teams before next season (and how the moribund Expos are sure to be one of them). But if they were discerning, readers also should have noted that the owners' vote to "contract" major league baseball was not binding and probably requires the players' union to agree to it. Translation: Owners aren't really going to fold two teams. It's just a bargaining ploy for the commissioner's office to use against the Players Association when they sit down this month

DAYN PERRY *covers major league baseball for* ESPN.COM

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to negotiate a new collective-bargaining agreement. A thumbnail analysis of the costs of contraction—buying out the owners, meeting legal fees, paying off stadium leases and entire minor-league systems, just for starters—shows that the money saved would be negligible, to say nothing of the public-relations disaster for organized baseball and the difficulty of getting it past the players' union. It's a bluff.

So the question becomes not "whether" the Expos will relocate, but "where"? The smart bet is Washington. The Beltway region is the seventh-largest media market in the country and, by some measures, boasts the highest median household income. So, despite the fact that two earlier Washington Senators teams sought greener pastures, few doubt that D.C. is a perfectly viable market for major league baseball. Not surprisingly, baseball commissioner Bud Selig's relocation envoy Corey Bush has made a number of trips to the region.

What D.C. also boasts that competitors such as Charlotte, Las Vegas, and Portland, Oregon, do not is the political advantage that inescapably resides in the nation's capital. More than campaigning, kissing babies, and lengthy recesses, Congress loves baseball. And while that's true of most red-blooded Americans, lawmakers have a special reason to want a team. Imagine congressmen being able to give important constituents tickets to a game at a brand-new field next to RFK stadium (the most likely site) that boasts a view of the Capitol Dome over the center field fence. Now imagine lobbyists slipping lawmakers those tickets. (Don't underestimate the lure of free tickets: In 1999, congressional ethics committees decided that the $98 club seats at Washington's MCI Center—home to the NBA's Wizards and NHL's Capitals—could be "reinterpreted" to cost $49.50 if lawmakers forfeited parking and waitress service, so that lobbyists could slip them tickets without running afoul of the $50 cap on gifts to congressmen.)

Congressmen also enjoy a power the rest of us lack: They can make baseball owners quake in their loafers. The key to their power is baseball's antitrust exemption. In 1922, in one of its more dubious decisions, the Supreme Court ruled that Major League Baseball games do not constitute interstate commerce, and thus are not subject to the Sherman Antitrust Act, an exemption never extended to any other professional sports league. For decades, Major League Baseball's immunity has allowed teams to operate as a cartel, primarily because, unlike other leagues, teams can't move without group approval, protecting owners' economic territory. This confers a litany of financial advantages upon entrenched owners. Few legal scholars today defend the court's decision. But the burden of repeal-

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ing the exemption lies with Congress, and Congress has never seen fit.

But its patience was sorely tested in 1972, when the second incarnation of the Washington Senators uprooted to Arlington, Texas, to become the Texas Rangers. Angry lawmakers called for an inquiry, and a House investigating committee recommended that baseball's antitrust immunity be repealed. Fortunately for the owners, the House never acted on that recommendation. But in 1998, after heavy lobbying by the baseball players' union, Congress took a step toward limiting the exemption by unanimously passing the Curt Flood Act, which partially ended the owners' monopoly by giving players the same labor protection enjoyed by other professional athletes. This spooked the owners. So did subsequent attempts by Republicans (Sen. Arlen Specter of Pennsylvania) and Democrats (Rep. Earl Blumenauer of Oregon) to limit their ability to finance new stadiums with taxpayer money. Baseball isn't taking any chances. It now spends more money lobbying Congress than all other professional sports leagues combined.

Despite what you've read in the sports pages, Major League Baseball isn't really going to fold two teams—it's a bluff.

Will Congress Play Ball?

But the owners know that lobbying is no guarantee of protection. Indeed, the day after owners voted to fold two teams, Rep. John Conyers (D-MI) announced plans to introduce legislation to end baseball's monopoly. Now, perhaps the only way for owners to protect their monopoly is to move a franchise to the Washington area. Lawmakers don't say this openly. Instead, they couch their demands in more respectable terms. Just last month, for instance, Virginia's senators George Allen and John Warner, and three Virginia congressmen, wrote to Selig calling on him to relocate a team to the region fast. They drew upon the events of September 11 for a handy, if tasteless, rationale: "Baseball will provide a boost to the region's morale as well as stimulate sectors of the regional economy that have felt the greatest impact from the terrorist attack."

The Virginia delegation would love to house a baseball team in a sought-after new stadium across the Potomac in Northern Virginia. District big shots, of course, would prefer the team to come to the city. Since D.C. has no voting members in Congress, the arm-twisting has fallen to a group of D.C. businessmen that includes AOL co-founder James Kimsey and Fannie Mae CEO (and former Clinton OMB director) Franklin Raines. The net worth of this group of potential owners: $2 billion.

At the group's head stands that classic Washington insider, Fred Malek, forever to be remembered for his role in the Watergate scandal. Although deputy director of the infamous Committee to Re-Elect the President (CREEP) in the early 1970s, he escaped prosecution, but couldn't avoid political exile. Malek returned in the late 1980s as deputy chairman of the Republican National Committee, only to find his past still dogging him. When it came to light that he had compiled a list of Jews working for the Bureau of Labor Statistics—the "Jewish cabal" that obsessed Nixon—Malek was forced to resign. He kept busy through tours of executive duty with Marriott and Northwest Airlines, and as the manager of the Bush-Quayle campaign in 1992.

Malek now heads Washington Baseball Club LLC, the organization supplying the campaign's muscle. As he puts it: "We've got the money, the people behind the effort, the site [for a new stadium], the backing of the City. We've got the resources to get this done."

Of course, every city in America that wants a baseball team has a similar committee of heavyweights angling for a franchise. What Malek has that others don't is the ultimate political connection: As co-owner of the Texas Rangers, his partner was George W. Bush.

Bush's $606,000 investment in the Rangers in 1989 netted him $14 million when he sold his share in 1994 to run for governor of Texas. Such good fortune is not easily forgotten. Bush himself has spoken publicly of his desire to see Major League Baseball return to Washington (Clinton, by contrast, did not). His opinion will no doubt weigh heavily on any decision to relocate a team, thanks to his position and his personal connections to baseball's owners and commissioner (himself the silent owner of the Milwaukee Brewers). The question is, which side of the

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Potomac will Bush recommend?

Politically, Bush may be tempted to back the heavily Republican Virginia delegation in Congress, and some say he's already put in a word to that effect. But as a former owner, he also understands the economics of relocation. Typically, whichever party allows baseball to drink most deeply from the public trough gets its way. The preferred methods of corporate entitlement are the publicly funded stadium, taxpayer coverage of cost overruns, charitable rent prices, and team retention of most stadium revenues. When taxpayers fund stadiums, directly or indirectly, a team's revenue can increase by 50 percent. This in turn causes franchise values to soar, as Calvin Griffith, and many owners since him, have discovered. Bush himself convinced the city of Arlington, Texas, to cough up $135 million toward the price of a stadium, which exponentially increased the value of his investment.

The only way for baseball's owners to protect their monopoly is by moving a team to Washington, D.C.

A Third Term for the Senators

Whether Virginia or the District gets the ultimate nod from Bush and his owner buddies may come down to which jurisdiction can offer up big subsidies. Here, the District has the advantage. Ron Utt of the Heritage Foundation points out that District law does not subject bond offerings, a likely vehicle for stadium financing, to referendum, only to city council approval. But in Northern Virginia, a countywide vote would be required. As a result, Utt argues, Major League Baseball will probably conclude that D.C. is "most likely to support and finance a stadium with the least amount of resistance."

Bush and the owners can also read a balance sheet. The fact that Bill Collins, managing partner of the Virginia Baseball Club, Inc., and likely the lead investor in a Northern Virginia team, appears to be in dire financial straits favors the District's. chances. In April, his company, Metrocall, narrowly avoided having to file for Chapter 11 bankruptcy, and its financial situation remains grim.

In the end, the smart money is on the District. Washington Mayor Anthony Williams has met with Bush to discuss bringing in a team. And the ability of Fred Malek to pull strings shouldn't be underestimated. Asked if his history with Bush, if he chooses to exploit it, might give him a leg up in the bidding process, Malek replies, "Of course it will."

The only real obstacle to baseball's return to D.C. is Peter Angelos, owner of the Baltimore Orioles. Angelos regards the D.C. area as his club's birthright (D.C. and Baltimore are only 40 miles apart), and in the clubby world of baseball owners, he has a case. Major League Baseball traditionally grants owners territorial rights in order to protect market shares and prevent teams from directly competing for revenues. Unfortunately for Angelos, the Expos are a National League team, and the prospect of moving them into the territory of the Orioles, an American League team, is viewed by owners as less of an infringement. Angelos is also a trial lawyer and major Democratic fundraiser, two vocations guaranteed not to endear him to President Bush.

One more element working against Angelos should not be underestimated: the desire among his fellow owners for revenge. Baseball owners have short memories for their mistakes, but long ones for their affronts. Privately, they're still miffed at Angelos for breaking ranks during the 1994 labor stoppage, when he was the lone owner to oppose the laughable idea of hiring replacement players to finish the 1995 season and break the players' union. While Angelos has done his best since then to win back the favor of his peers, his perceived disloyalty will hurt him when he seeks the necessary votes to block the Expos' relocation to Washington. As one major-league front-office source puts it, an Angelos countermeasure "won't have a fucking prayer."

No move of the Expos is imminent. Players and owners must first work out a new collective bargaining agreement, a process they've only just begun. Until then, owners won't relinquish the possibility of contraction, or the negotiating leverage which it confers. However soon a new agreement is reached, no move could be made before the 2002 season. And if the current collective-bargaining agreement is extended for another year, it could be 2004 before Washington gets its new team. But it's bound to happen. Because this time, baseball owners will have finally learned the rules of a different kind of inside baseball—the kind already played in Washington. ●

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Memo of the Month

Gelman Library Bomb Threat Checklist

(Follow these instructions)

1. **When you receive a bomb threat, you must take the call very seriously.**
2. **Remain calm, do not shout, scream or panic.**
3. **Write down the telephone number/information of the caller on the phone display.**
4. **CONTACT Front Desk (49870), Peggy, Marcus or Jack immediately.**

I should try to find out the following information:

Time the call was received?:_____

When is the bomb going to explode?:_____

Where is the bomb located?:_____

What does the bomb look like?:_____

What kind of bomb is it?:_____

Why did you place the bomb?:_____

Where are you calling from?:_____

What is your address?:_____

What is your Name?:_____

***(Keep the caller talking)**

Exact words of the Caller:_____

Do you hear other noises in the background?
*(Circle those that apply)
Cars. People Street noises Music Static(cell phone) Office machinery House
noises Bells Other voices Other_____

Description of the caller's voice (Circle):

Male Female Young Middle aged Old Your guess of the age_____

Accents? Foreign Lisp Proper Country Slow Excited Disguised Disguised electronically

Rapid Sincere Broken Recording Crying Joking Familiar Loud Slurred

Other_____ Your guess at Race_____

Time the caller hung up_____ (Prepare to leave the building with this information)

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The Washington Monthly Journalism Award

OCTOBER 2001

BARRY YEOMAN

"The Quiet War on Abortion"

Mother Jones, October 2001

After years of noisy protests and civil disobedience by anti-abortion activists, the abortion wars finally seemed to subside after the assassination of several doctors. But Barry Yeoman explains that far from abandoning the cause, anti-abortion activists have simply gotten cagier. Keeping a low profile, activists are now chipping away at abortion rights discreetly with low-profile legislation and lawsuits that stop short of trying to outlaw the procedure and instead barrage providers with suits about building code violations and other issues that make it next to impossible for them to do business.

JON COHEN AND ELIOT MARSHALL

"Vaccines for Biodefense: A System in Distress"

Science, October 19, 2001

According to Cohen and Marshall, months before the September 11 terrorist attacks, the U.S. Defense Department informed Congress that its system for developing vaccines to protect troops from bioweapons was a disastrous failure. Cohen and Marshall explain how, despite the military's need for exotic new shots, vaccine development has lagged thanks to a lack of commercial interest and management snafus.

THE MONTHLY JOURNALISM AWARD is presented each month to one or more newspaper, magazine, radio, or television stories (or series of stories) that demonstrate a commitment to the public interest. We are particularly interested in reporting that explains the successes and failures of government agencies at all levels and of other institutions such as the media, corporations, unions, and foundations that contribute to the existence or solution of public problems. Please send nominations (including two copies of the article or broadcast text) to The Washington Monthly Journalism Award, 733 15th Street, NW, Suite 1000, Washington, DC 20005. Or e-mail us at **editors@washingtonmonthly.com**. Nominations for stories run in November are due December 1, 2001.

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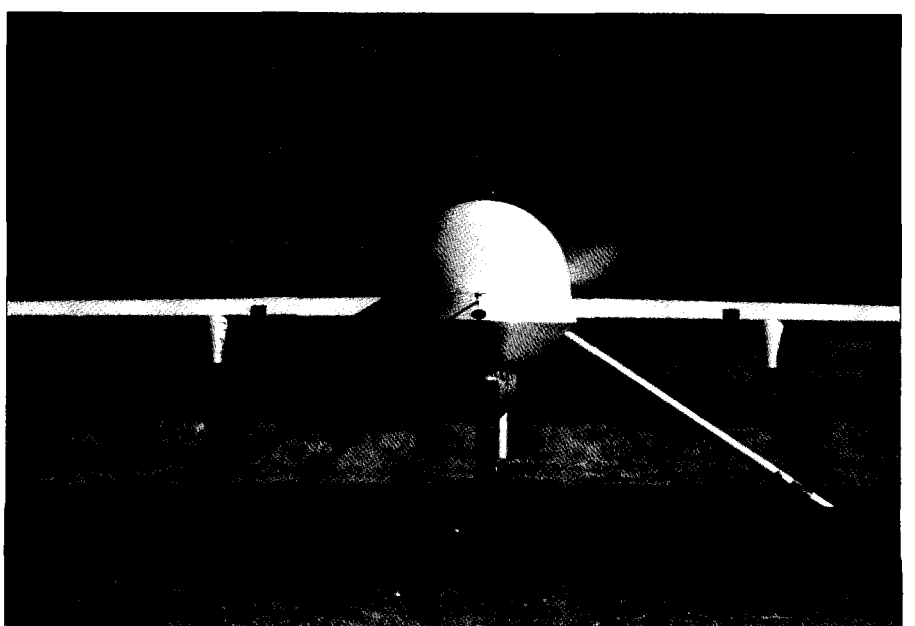
Studs and Duds

In Afghanistan, the Navy has weapons that work. So why don't the Army and the Air Force?

BY ERIC UMANSKY

A SINGLE WEAPON CAN SOMETIMES change the course of a war. Consider the Stinger missile, which the CIA supplied to Mujaheddin fighters in Afghanistan in 1986. The guerrillas promptly used the shoulder-launched rockets to shoot Soviet helicopters out of the sky and drive the Russians out of the country. Today in Afghanistan, if there's a candidate for potential super-weapon, it's a pilotless plane called the Predator, designed by the Air Force for missions too risky or unmanageable for piloted crafts. Specifically, the Air Force requires the drone to "provide around-the-clock reconnaissance support under adverse weather conditions [and] in areas where enemy defenses have not been adequately suppressed." Recently, the Predator has been outfitted with a Hellfire air-to-ground missile, theoretically making it the perfect weapon for hunting down Taliban troops and al Qaeda hideouts without putting U.S. soldiers at risk. (The craft is controlled via joystick by a soldier who is hundreds of miles away). It was a Predator that tracked a convoy carrying Taliban leader Mullah Omar and fired the missile that leveled his compound.

Unfortunately, one of these miraculous weapons crashed. Then another. The Pentagon blamed bad weather—even though bad weather is precisely what the craft was designed to fly through. In October, the Pentagon's central testing office reported that "the Predator cannot be operated in less than ideal weather, including rain. Furthermore, the system is unable to provide reliable, effective communications through the aircraft, as required." The classified report, obtained by the watchdog group Project on Government Oversight, concluded that "the cumulative effect of the sys-



RQ-1 Predator with Hellfire Missiles, courtesy of General Atomics Aeronautical Systems, Inc.

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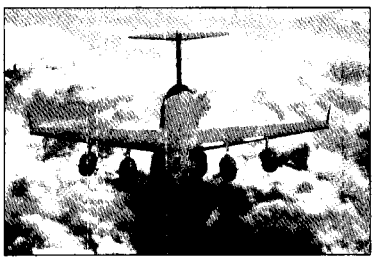
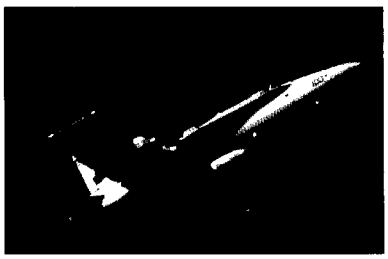
B-2 stealth bomber, U.S. Air Force



C-17 Globemaster, U.S. Air Force



JSOW missiles loaded on FA-18, courtesy of Raytheon

tem's limitations render the Predator operationally ineffective."

The Air Force has built 60 Predators. Not counting the two lost in Afghanistan, about a dozen have crashed during testing, and another seven have either crashed or been shot down over Kosovo and Iraq. In early November, Secretary of Defense Donald Rumsfeld acknowledged that they couldn't withstand an Afghan winter, although designed to do so. So Rumsfeld ordered the deployment of the Global Hawk, an even newer unmanned craft still under development, to do the job the Predator cannot.

Such performance failures are typical of many Pentagon weapons systems. But there are instructive exceptions. Consider the Navy's new glider-bomb, the Joint Stand-Off Weapon. Like the Predator, the JSOW is a "next-generation" instrument, designed to hit the enemy while keeping our troops out of harm's way. It can be dropped 40 miles from a target, and glide to its objective with a built-in satellite navigator. Like the Predator, the JSOW met with a few glitches during its development. Among other problems, its "derailer," the device that separates the weapon from the jet when launched, didn't work properly.

But that's where the similarities end. The JSOW, derailer and all, is now fully operational. According to a report by the Pentagon's testing office, "No JSOW weapon has experienced a failure of this component during flight test or operational use." The glider-bomb is currently in action over Afghanistan. The Pentagon won't release any information about its performance or that of most other weapons. ("This isn't a game," said a Pentagon spokesperson. "We're not keeping score.") But Navy pilots have fired JSOWs at anti-aircraft positions and radars in Iraq, where, according to a Pentagon testing report, "Battle damage accuracy assessment estimates exceeded requirements for the weapon." In other words, it works.

Two weapons, both highly advanced, both with design defects. Why does one work so much better than the other? The answer to that question is vital because having the right weapons and having them work can make the difference between winning and losing a war.

The B-2's Porta-Potties

Typically, when the military develops a new weapon, it performs tests along the way to see if the weapon meets its "specifications." Does the bullet leave the gun barrel at the right speed? Does the jet's engine provide the required amount of thrust? But only after the weapon is built (and often only when the contractor's production lines are gearing up) does the military typically perform what are called "operational" tests—all-or-nothing exams meant to scrutinize how a weapon would fare in combat. Can a soldier under fire easily work the controls? Will the gun shoot if it's covered in mud? The problem with this method is that by the time the tests reveal any major problems, it's often too late to do much about it.

Unlike the other services, a few years ago the Navy changed its testing regime. It now conducts operational testing as early as possible, gradually imposing combat-like conditions, frequently while the weapon is still being developed. The JSOW works so well, says a Pentagon testing report, because the Navy "demonstrated a capability to rapidly address and resolve" glitches. The Pentagon's testing office, meanwhile, noted that the Air Force had waited too long to test the Predator. "All the production contracts were awarded prior to operational testing," so that "the use of the test results was diminished." In other words, the Air Force didn't do operational tests until it was too late to fix the problems that the tests uncovered.

The problem is endemic. According to the Pentagon's testing office, "in recent years, 66 percent of Air Force programs had to stop operational testing due to some major system or safety shortcoming." The Army fared even worse, as approximately 80 percent of its systems tested "failed to achieve half their operational reliability requirements." By comparison, in the past few years, 90 percent of the Navy's weapons passed operational testing, according to

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ERIC UMANSKY *has also written for* Slate.com *and* The New York Times.

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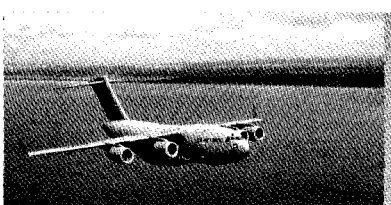
Philip E. Coyle, former chief of the Pentagon's central testing office.

The failure of the Air Force to test early and realistically, as the Navy does, has also limited the effectiveness of its most advanced bomber, the B-2. A few weeks into the war in Afghanistan, an Air Force general proudly told a group of reporters gathered at the bombers' base in Missouri that the planes had just completed 44-hour combat missions over Afghanistan, "the longest in combat history." But if any of the reporters had been allowed inside the planes, they would have noticed that despite their enormous size, the planes lack a rest area, space for a backup pilot, and bathrooms. (Pilots have adapted by bringing aboard lawn chairs and using cockpit urinals.)

Despite 44-hour combat missions, the B-2 lacks a rest area or bathroom. Pilots have adapted with cockpit urinals.

The planes weren't designed to fly for two days straight, and the main reason that they had to was because of poor testing. The Air Force did extensive tests on the B-2, showing that it met all its specifications; it flew at the right speed, evaded radar, etc. But once in production, B-2s began returning from training missions with pockmarked "skin" (the stuff that makes them stealthy). Engineers discovered that rain damaged the B-2s. Testers had never thought to fly the plane through bad weather. The Air Force tried to fix the problem. But the planes were already built, and replacing the skin wasn't feasible. So instead, the Air Force repairs the fragile skin each time the B-2 is exposed to moisture, and houses the planes in special dehumidified hangers, which only exist at the base in Missouri. "We can't have ripples or bumps or anything like that," says an Air Force spokesperson. "We need to make sure the skin is flawless." That requires an enormous amount of maintenance. For each hour the plane spends aloft, the Air Force says the B-2 undergoes 45 man-hours of servicing on the ground. As a result, according to the Pentagon's testing office, only 33 percent of B-2s are capable of flying missions at any one time, a fact that led the office to conclude that the B-2 "did not meet user requirements for sustained operations." Indeed, in the first month of the bombing campaign in Afghanistan, B-2s flew just six



C-17 Globemaster, courtesy of Boeing

Drop Dead

The benefits of good testing, and the perils of bad testing, are never more apparent than in the middle of a war. Case in point: the Air Force's newest cargo plane, the C-17. Despite its mundane mission (to carry stuff), the C-17 is a very advanced aircraft. It has full digital controls. Strong and sophisticated engines allow it to take off and land on short dirt runways. But while the C-17 has been used to drop food over Afghanistan, it hasn't been able to deliver paratroopers, although that's one of its stated missions. As GAO and Pentagon reports both discovered, the C-17's engines create so much turbulence that jumpers are imperiled. (In one demonstration, turbulence caused one paratrooper's chute to collapse. He only survived when, a few hundred feet from the ground, he managed to open his emergency chute.) Again, the Air Force had discovered this problem too late in the development process to fix it. When U.S. commandos raided an air base in Kandahar in October, they didn't jump from C-17s. Instead, they jumped from older, but safer, specially equipped MC-130s.

U.S. Air Force MC-130 Combat Talon, courtesy of United States Department of Defense

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missions. Navy planes, meanwhile, have flown more than 1,500.

Dud in the Water

On July 24, 1943, the U.S. submarine *Tinosa* was closing in on the *Tonan Maru*, one of Japan's largest oil tankers. The sub got within 800 yards and launched its attack. Fifteen torpedoes later, the Japanese ship was still afloat. All but two of the torpedoes were duds, and the *Tonan Maru* began to pull away. The *Tinosa*'s captain was so furious that he broke off the attack, saving his remaining torpedo, and returned to base. Once there, he turned over his last torpedo to military testers. The scientists fired the torpedo from a barge. It seemed to work perfectly. But sub commanders throughout the Pacific were reporting problems similar to the *Tinosa*'s. Frustrated by the scientists' approach, the commander of the Submarine Force Pacific Fleet, Rear Admiral Charles Lockwood, launched his own tests. Rather than firing from a barge, Lockwood sought to make his experiment as realistic as possible, so he boarded a submarine, headed out to sea, and fired the torpedo into a net. His crew hauled in the used torpedo and discovered the problem: The torpedoes were moving too low in the water, which caused the warhead to malfunction. Thanks to this sensible real-world testing, the Navy was able to recalibrate the guidance mechanisms on all U.S. torpedoes of this type, and went on to sink a lot of Japanese ships with them. But decades passed before the Navy applied the lesson of the *Tinosa* to its standard testing procedures.

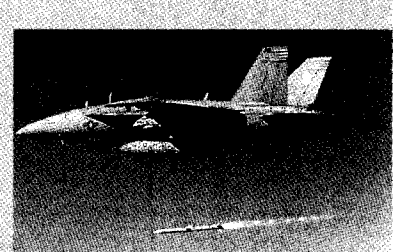
"Have you heard of the three Ds?" a Pentagon analyst asks. When it comes to testing, "the Army is dumb, the Air Force is devious, and the Navy is defiant. They don't bow to pressure."

Change came only after a monumental weapons development fiasco. In the late 1970s, the Navy attempted to design an aircraft carrier-based bomber jet to replace the aging but reliable A-6. The new plane, designated the A-12, was supposed to be a revolutionary leap forward. Packed with the latest technology, it would be stealthy, quiet, and capable of carrying an enormous bomb payload. The project was the most expensive in Navy history.

The A-12 quickly ran into problems. Nicknamed the "Flying Dorito" for its chip-like shape, it didn't meet performance goals, a setback which caused lengthy delays and drove up costs. One study predicted that the A-12 project would be so expensive that it would swallow up about 70 percent of the Navy's aircraft budget by the 1990s. But weapons programs have a way of developing momentum that makes them very hard to kill. Services are loath to cancel a program; Pentagon officers who've worked on one often come to believe, rightly, that their careers depend on it; Congress can become an ardent defender of

Hornet's Best

An industry newsletter, *Inside Defense*, recently unearthed a classified study showing which service does the best job of fielding weapons. The study, by the quasi-governmental Center For Naval Analyses, compared three aircraft programs, one from each service: the Army's Comanche attack helicopter; the Air Force's latest fighter jet, the F-22; and the Navy's new bomber, the F/A-18 Super Hornet. All three programs began in the early '80s and were supposed to enter service the mid-'90s. All three suffered from design problems. Tests on the Super Hornet found that the craft's wings vibrated, occasionally so seriously that it damaged missiles stored there. But the Navy identified the problems and addressed them. According to the Pentagon's latest report, the Super Hornet is "operationally effective and operationally suitable in all mission areas." The bomber is now on aircraft carriers, waiting to be called into action. By contrast, the F-22 jet and Comanche helicopter, both of which might prove useful in prosecuting the war in Afghanistan, are still beset by everything from cracked canopies to buggy software. The two aircraft are currently slated to enter service in 2005 and 2007, respectively—nearly a decade behind schedule.



F/A-18E/F Super Hornet, Boeing

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weapons programs as well, since no congressman wants to shut down a project that employs his constituents. Recognizing this, weapons contractors routinely subcontract portions of a program to as many congressional districts as possible.

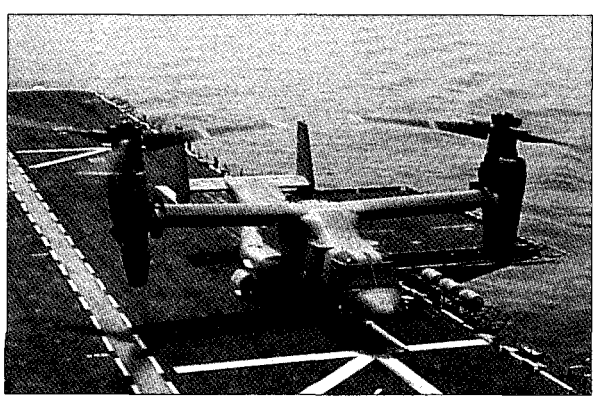
Even so, the A-12 was such a mess that then-Secretary of Defense Dick Cheney, in one of his finer moments, axed the project in 1991, the most expensive weapons program ever terminated. (Even in death the A-12 fought on—mired in litigation over contractors' claims that Cheney lacked proper cause for cancellation. A U.S. Federal Court finally rejected those claims in September.)

But the debacle had a silver lining. "The A-12's demise really shocked the Navy," says Marcus Corbin, a senior analyst at the reform-minded Center for Defense Information. "They had been betting the farm on it. And it crashed. They really needed to reevaluate after that."

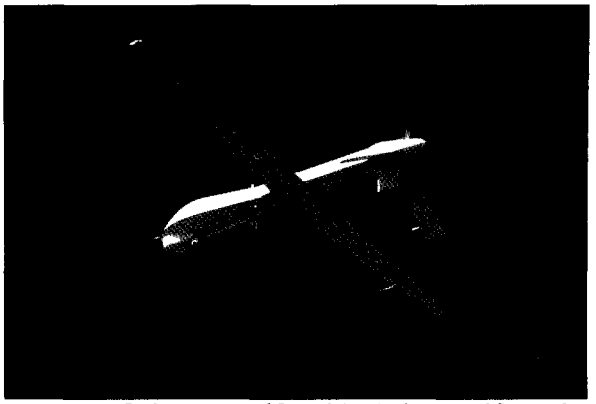
Eating Your Own Dog food

After the A-12 trauma, the Navy decided to apply the lessons it had learned. "Five or six years ago, we began to work with developers from a very early stage," says Rear Admiral Steven Baker, the Navy's previous head of operational testing. "I told my program managers, you don't want to be cavemen discovering fire. There should be no surprises."

By doing operational tests earlier and more often, the Navy was simply applying a lesson which the private sector learned a long time ago. Smart companies don't put new products on the shelves and wait until customers start complaining to find out what's wrong with them. They start testing the product early, first by using it in-house ("eating your own dog food" as the marketing guys like to say); then in controlled settings outside the firm. Software makers, for instance, know that because their products may contain millions of lines of code, it's virtually impossible for programmers to test on their own all the different permutations of how the software will react in the real world. So they often let users evaluate early copies, a practice called beta-testing. Beta-testing also lets software developers know how users will respond to various features. (Will they appreciate the cute computer-helper Paper Clip popping up automatically or simply find it annoying?)



MV-22 Osprey on the U.S.S. Saipan, U.S. Air Force



Predator, courtesy of General Atomics Aeronautical Systems, Inc.

This is essentially what the Navy now does. As a result, the Navy is not only fielding more weapons that actually work, they're fielding them quicker. One recent study examined three aircraft, one each from the Army, the Navy, and the Air Force. Though all three programs began in the mid-1980s, only the Navy's craft is fully operational and in the field (see sidebar, page 18). Again, this should come as no surprise to anyone in the private sector. "Companies that sell to consumers release products every three years or so," observes Jacques Gansler, Under Secretary of Defense for Acquisition and Technology from 1997 until 2000. "But defense takes 15 to 20. Why does it take so long?" A big part of the answer, he says, is testing. Flaws discovered early, while a product is being developed, can usually be fixed more quickly than those found at the last minute.

Early operational testing also saves money. A report by the Center for Naval Analyses (a federally funded think tank that is not part of the Navy) shows that Navy programs have half the cost growth shown by the other services.

Getting its testing regime right has required, and in turn inspired, a change of culture within the Navy and the contractors who work with it. According to defense experts, the Navy has the most rigorous and independent testing unit of any service. "Have you ever heard of the three Ds?" asks a Pentagon analyst who asked not to be named. "The Army is dumb, the Air Force is devious, and the Navy is defiant. They

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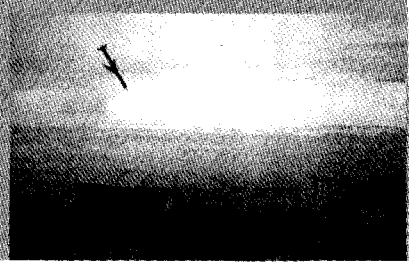
SLAM-ER, U.S. Navy, Boeing

SLAM-ER vs. Stinger

Here's an instructive comparison between two missiles, one developed by the Navy, the other by the Army. The Navy conducted tests early and extensively on its SLAM-ER, a long-range air-to-ground missile designed to be launched from Navy jets. A report from the Pentagon's testing office shows that the SLAM-ER experienced some early problems. Its guidance system, for instance, would freeze, sending the weapon off course. The Navy caught the problem early and fixed it. Then there's the Army's missile, a new version of its anti-aircraft Stinger missile called the Stinger-RMP. The "RMP" stands for "reprogrammable microprocessor." As the name implies, the weapon is equipped with a host of new electronic features, the kind that typically come with lots of glitches that need to be worked out. But the Pentagon's testing office reports that the Stinger-RMP "was not adequately tested despite the fact that the missile is currently fielded to Army units." Oops.



don't bow to any pressure. And they're dogged. People react to it and begin to expect it. So contractors anticipate tough tests ... and know they're screwed if they don't pass them."

Of course, the other services' testing offices also try to be tough and independent. The difference is that their toughness and independence are constantly being undermined by forces elsewhere in the bureaucracy. For instance, under the old testing system still used in the other services, contractors and program officers have no idea until the end whether or not the weapons systems they've banked their careers on will make the grade. The situation inspires a gnawing fear, and the natural reaction to such fear is to exert pressure on the testing office to make the tests less rigorous. Such pressure is not unknown in the Navy. But it's less intense because early testing gives contractors and program officers a better sense of how their weapons will ultimately perform. Indeed, many come to view the tests not as enemies to be outfoxed but as useful diagnostic tools that help them do their jobs.

Another difference in the Navy is funding. Though Congress appropriates funding for weapons programs, services typically have some discretion over how they use it. It's not unusual for a service to rob money from one program in order to pay for others. When it does, the first places it looks to cut are testing budgets. The Navy resists this practice more than other services, which means that its testing office usually has the resources to catch and fix problems quicker. The Navy's success also stems from its streamlined bureaucracy. The Center For Naval Analyses found that "the Army requires about 2,200 people for the job of [generating weapons specifications], compared with about 1,600 people in the Air Force and roughly 550 in the Navy for essentially the same function." In order to make sure that they weren't making an unfair comparison, the Center's analysts also counted the number of people each service employed per research dollar spent. The Navy fared best. Analysts found that the Navy has one-third the bureaucrats per dollar of the Air Force and one-eighth as many as the Army.

The Navy's Flying Mack Truck

This isn't to suggest that the Navy has perfected the process of designing weapons. Its weapons don't always work, and it still builds ships and other systems primarily suited to fight a Soviet fleet which no longer exists. Chuck Spinney, a Pentagon analyst who for years has pointed out flaws in the Pentagon's weapons programs, is a notable skeptic. "There's probably some truth to the notion that the Navy does a better job testing," he says. "But it's a distinction without a difference." Spinney contends that a more important issue is the fact that the Pentagon continues to build the wrong kinds of weapons: big and enormously expensive. He singles out the Navy's new bomber, the Super Hornet. It's slow, not very maneuverable, and twice the cost of the plane it replaces. All that is true. But Spinney is wrong to say that superior testing doesn't make a difference. The Navy set out to design a slow plane that would essentially function like a Mack truck, its best attribute being mostly that it can carry a lot of stuff. The Navy may or may not have been mistaken in formulating such requirements, but the important point is that the Super Hornet meets them. It does exactly what it was designed to do, which is more than can be said for many other weapons programs.

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Even the Navy's failures suggest the importance of its new testing regime. One of the most infamous weapons snafus in recent memory is the Osprey, a plane-cum-helicopter contraption built for ferrying Marines and other special forces into and out of the kind of rough terrain which we're now encountering in Afghanistan. (See sidebar below). The Navy helped develop the Osprey, but the craft was tested by a Marine unit (the same unit, incidentally, that maintains Marine One, the Presidential helicopter). The Osprey has crashed four times during test-flights, killing 30 Marines. It's now grounded.

Had it gone through the Navy's testing system, the Osprey might be available to commanders in the field right now. Instead, every one of those built sits in hangars stateside. Had the pilotless Predator aircraft gone through the Navy's testing system, it might have been lurking in the skies over Afghanistan all winter long, making life miserable for Osama bin Laden. Instead, it too will sit in a hangar, at least so long as the weather is bad. These craft might have turned out to be like the Stinger missile: super-weapons that change the course of the war. In any event, we'll never know, because the other services have failed to adopt the Navy-style testing system that delivers weapons that work, at lower cost, and on time. That situation ought to be changed, fast. ●

Heaven Can Wait

One of the biggest obstacles facing the U.S. military in Afghanistan is the country's paucity of airstrips big enough to land troop transport planes on. The alternatives are less than ideal: Parachuting in is always dangerous, and helicopters can't carry many troops. The Marine's newest plane, the Osprey, should have been the answer. With propellered wings that can tilt in mid flight to become helicopter-like, the Osprey can land almost anywhere, and it has a bigger payload and longer range than any helicopter. Had the Osprey's testing followed the Navy's standard operating procedures, the plane indeed might have shuttled the troops into Kandahar. Instead, the Osprey is currently grounded, and it is the Pentagon's most troubled development program.

The Osprey is a hugely important program for the Marine Corps, a mostly autonomous arm of the Navy. The plane is designed to replace their Vietnam-era helicopters, and if it's ever deployed it will be a significant upgrade. "The Marines want it more than they want to go to heaven," one congressman told the *Fort Worth Star-Telegram*. Alas, heaven is where many of them would wind up if the craft were now in use.

The Marines gung-ho attitude was what caused the problem. Eager to deploy the Osprey as soon as possible, the Marines, according to a GAO report, "deleted significant testing that would have provided additional knowledge on Osprey flying qualities."

When the plane was ready to undergo simulated combat conditions, known as operational testing, the Navy took over. "They did good tests which revealed problems," says Philip Coyle, the Pentagon's former head of testing. One of the key concerns was with the Osprey's hydraulics. "We felt the plane was unsafe," Coyle adds.

In early December 2000, soon after operational tests were finished, the Navy told the Marines it wasn't happy with the results. Two weeks later, an Osprey carrying four Marines crashed, this time due to faulty hydraulics. The following February, an Osprey mechanic told the Navy that some officers above him had been so eager to push the plane along that they falsified maintenance records.

"The Marines just wanted to go ahead and be done," says Coyle. "If they had fulfilled the testing schedule, they probably could have avoided some loss of life." And, again, the Osprey might have been available to help fight the war in Afghanistan.

MV-22 Osprey, U.S. Air Force

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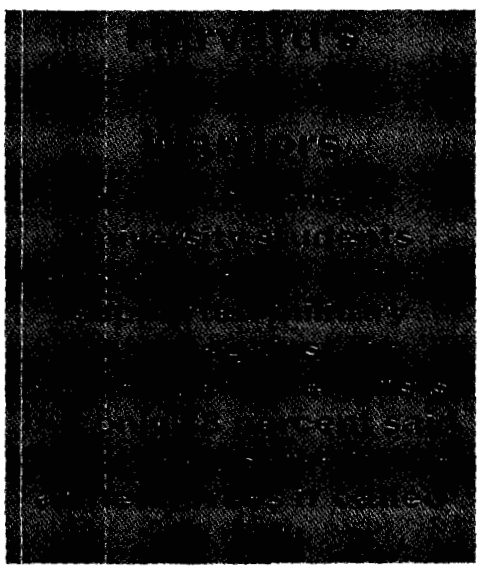
Tidbits & Outrages

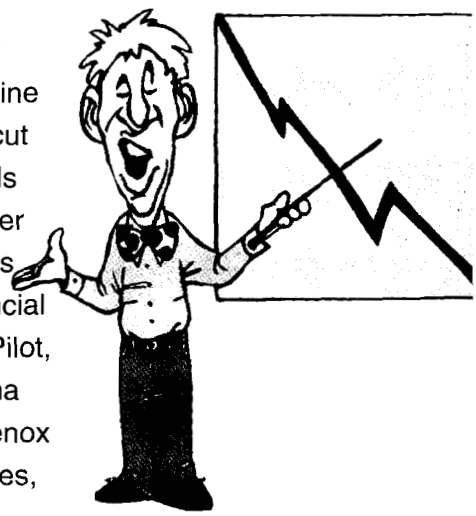
Peace at 40 Paces

"I will propose that Mr. Blair and Mr. Bush should take Kalashnikovs and come to a specified place where Mullah Omar will appear with the Kalashnikovs to determine as to who will run."
~**Taliban Foreign Minister Mauvi Wakil Ahmed Mutawakil,** proposing the war be settled in a duel.



Down, Down, Down

There's little doubt that September 11 hurt the airline industry. But did it really cut into sales of Jack Daniels whiskey? Among the other companies and business leaders blaming their financial woes on the attack: Palm Pilot, Planet Hollywood, Martha Stewart, Donald Trump, Lenox china, Steve Madden shoes, and Scottish pubs.



Takes One to Know One.

Former Yugoslavian president Slobodan Milosovic called the UN's war crimes charges against him the work of a "retarded seven-year-old."

Grades Aren't All That are Dropping

Maryland doctor Leonard Sax recently discovered that declining sperm count in male college students over the past 50 years "shows a remarkable parallelism" with the rising number of women in universities over the same period.

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Fixing a Fat Nation

Why diets and gyms won't save us from the obesity epidemic.

BY TOM FARLEY AND DEBORAH COHEN

ON A TUESDAY EVENING, IN A brightly lit classroom at West Jefferson Medical Center in suburban New Orleans, 10 fat people are gathered for their weekly support meeting under the guidance of a physician, a psychologist, and a dietician. One by one, the participants share their successes and lapses. "I lost one pound since last week," says Robert. The group answers with polite applause. Next, Tiffany: "My weight was the same." Sympathetic nods. "But I bought a new skirt and I went down three skirt sizes." Enthusiastic clapping.

Behavioral-modification programs like this one designed to treat obesity can be found across the United States. But the participants in this case are children, some as young as five. The average participant enters the clinic at an astonishing 69 pounds overweight. These children are far from unusual. As of the early 1990s, the National Center for Health Statistics (NCHS) found that 11 percent of children between six and 17 were overweight, twice the comparable percentage a decade earlier. Today there are 5.4 million overweight American children, and another 7 million considered "at risk" of joining them.

The epidemic of childhood obesity is only the latest grim chapter of a burgeoning American tragedy. The NCHS found that the proportion of obese adults increased by two-thirds in the 30 years from the early 1960s to the early 1990s. Telephone surveys by the Centers for Disease Control (CDC) have shown obesity rates skyrocketing another two-thirds since then.

In 1991, when the epidemic was less intense, researchers from St. Luke's/Roosevelt Hospital in New York estimated that obesity killed 325,000 Americans a year—eight times the number who die of AIDS, and more than the combined deaths from alcohol, drugs, firearms, and motor vehicles. It approaches the 430,000 per year killed by smoking. But while smoking rates are going down, obesity rates are accelerating. Soon—if it hasn't happened already—obesity will become the number-one killer in America. The cost of caring for those sickened with entirely preventable obesity-related illnesses tops $70 billion per year, about half of which is paid by government.

Now, here's the scary part: Everything the medical community has prescribed to fight obesity has failed. Even the best programs, like the kids' clinic in New Orleans, do little more over the long term than keep off a few pounds. Since the 1950s, health experts have been warning Americans to lose weight and telling them how: by eating less and exercising more. Over that time, obesity rates tripled. It's about time we admitted that we are losing the battle against obesity.

This isn't news. Individually, we beat ourselves up for lack of willpower or for choosing a night at a burger joint with the kids over a trip to the gym, dramatizing personal failure even though in today's junk-

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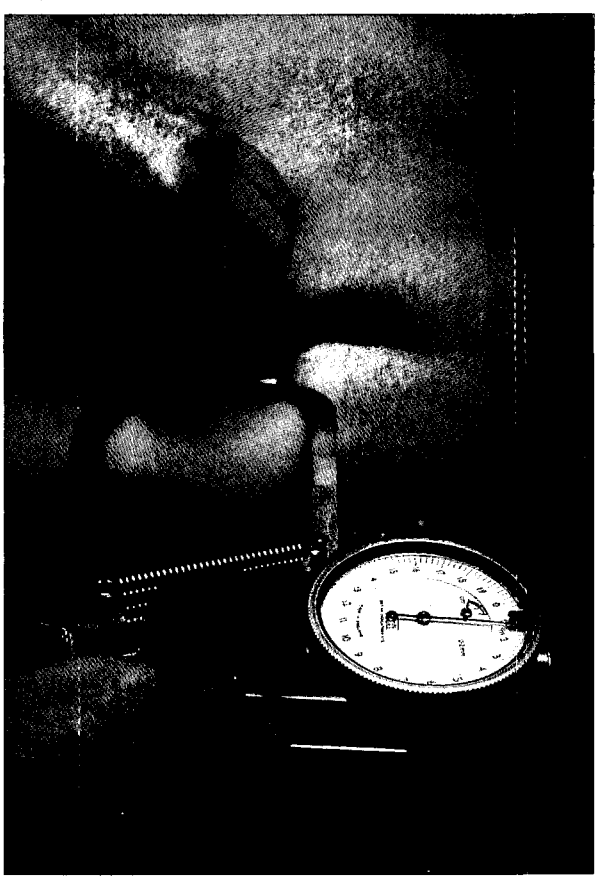
food-laden society, it's nearly impossible to stay thin. The desk job, the television, the Internet, suburban housing developments and their roads to nowhere all conspire against us. Yet we still view obesity as an individual problem, and so does the government.

But the epidemic is spreading at such an alarming rate that it can no more be viewed as an individual failing than 19th-century cholera epidemics could be blamed on poor personal hygiene. Indeed, given the rate Americans are dying, we'd better start treating obesity like an infectious epidemic. Combating obesity and its many attendant illnesses will not require more cholesterol-lowering drugs or even diet books or workout videos, but rather a retooling of our environment to get us moving again and to put the doughnuts a little farther out of reach.

The dangers of mid-management spread

Obesity is not just an image problem. Those who are overweight are more likely than thin people to die from heart disease. They have higher blood pressure and greater risk of stroke and kidney failure caused by hypertension; colon, breast, and prostate cancer; gallstones and arthritis. To this list, the National Institutes of Health (NIH) adds "complications of pregnancy, menstrual irregularities, hirsutism, stress incontinence, and psychological disorders (depression)."



Overweight people are also much more likely to develop diabetes, an increase in blood sugar derived from the body's resistance to the hormone insulin, which itself increases the risk of heart disease, stroke, and kidney failure. By damaging circulation in blood vessels, diabetes can lead to infections of the extremities, usually the feet, necessitating amputations. It causes blindness. From 1958 to 1998, the percent of American adults diagnosed with diabetes increased sixfold. At least 20 million Americans now have diabetes, including millions who are unaware. Related medical care costs, currently $44 billion a year, are rising fast.

These days, it isn't hard to spot truly gargantuan people. Watching a 300- or 400-pounder lumber down a supermarket aisle or struggle into an airplane seat, it's easy—perhaps even comforting—to decide that our own 20- or 30-pound inner tubes are nothing to worry about. But because there are so many more of us than them, far more of those who die unnecessarily are in our group. The epidemic isn't just a problem of the grossly obese; it's a problem for all of us.

Americans know that fat is bad for us. We've been hearing it for a half a century, from American Heart Association warnings in the 1950s to pamphlets distributed by the President's Council on Physical Fitness under Lyndon Johnson in the 1960s, to grave CDC warnings about the deepening problem in the 1990s. For a time, in the 1970s, it appeared as though the nation might overcome its fat problem. After Frank Shorter took the gold medal in the marathon in the 1972 Munich Olympics, road races sprouted up everywhere, some with tens of thousands of runners. Sports like tennis and golf also boomed. By 1978, *U.S. News & World Report* was trumpeting a "fitness mania." "We believe that America is going through a physical-fitness renaissance that can make a real dent in degenerative diseases," Richard Keelor of the President's Council on Physical Fitness said at the time. But it was about this time that already rising obesity rates started to skyrocket.

A Coke a day makes the fat genes play

Why are we so much fatter than our parents 30 years ago? After all, while dietary surveys over the last

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20 years show inconsistent results, none show big increases in the number of calories American adults eat per day. Sports clubs, gyms, and road races seem to be springing up on every corner, at least providing the illusion that some people are working out more than they used to.

NIH researchers are spending tens of millions studying the biology behind this conundrum. They've unearthed some interesting facts: Some people are more prone to become obese than others, and to some extent this bad luck is in their genes. The recently discovered hormone leptin helps regulate appetite and physical activity; a handful of people become obese for lack of an adequate supply. But human genes and metabolism don't trump the basic laws of metabolics: We gain weight when we eat more fuel than we burn. If we eat 2,200 calories a day and burn 2,000, our bodies—programmed for the near-starvation conditions of our hunter-gatherer days—store fat for the next famine. We tend to eat a fairly consistent amount of food no matter how many calories we need, so high-fat calorie-dense foods make us fat.

Combatting obesity will require retooling our environment to get us moving and to put the doughnuts a little farther out of reach.

Laboratory rats switched from rat chow to a "supermarket diet" similar to the high-fat diets of modern Americans quickly grow obese. And, when we're not hungry, we can still be tempted by foods or drinks that meet our biologic cravings for sweet or high-fat foods.

It doesn't take much caloric imbalance to make people obese, only consistency. For instance, if a person drives instead of walks for only 20 minutes every day for a year he will store about 26,000 calories, thus gaining about five pounds. Researchers at the University of Minnesota estimated that over a year, those who spend only five minutes each workday sending e-mails to coworkers instead of visiting their offices will gain an extra pound. Drinking a single can of Coke every other day will contribute enough calories to add about four pounds. Most of us gain weight this way, a few grams a day, a few pounds a year—but enough to shorten our lives.

Fat Failures

As a nation, what have we done to respond to this epidemic that kills 325,000 people a year?

Well, we've spent heavily on medical treatment. But it's a near complete failure. Most drugs tested as obesity cures have been so dangerous that the FDA has kept them off the market or withdrawn them after approval (most notably Fen-Phen). The effectiveness of weight-loss drugs is, in the NIH's cautious word, "modest"; they may cut five or 10 pounds. Intestinal bypass (or "bariatric") surgery can cause fat to melt away, but it's so radical and dangerous that doctors reserve it only for the 300-pound-and-above crowd.

Diets and exercise programs aren't much better. An expert panel at NIH concluded that people who follow strict low-calorie diets can lower their weight by about 8 percent over six months. The trouble is, they gain half of it back within the next two to three years. On average, obese people on a prescribed exercise program only lose 2.5 percent of their weight. And these slim successes are people in intensive programs constantly monitored, educated, and encouraged. Sad as it is to say, we ought to consider obesity, like most other chronic health conditions, as pretty much permanent damage.

If fat people and their doctors can't cure obesity, as a nation we ought to prevent it. Health experts have been trying to prevent obesity for decades. But careful large-scale community trials have proven education programs to prevent obesity to be a complete flop; intervention groups gain as much weight as "control" groups. School-based education programs to prevent obesity do no better (unless they include a supervised exercise component).

We shouldn't be surprised that in the United States as a whole, the call, however urgent, to "eat less, exercise more" has failed. There are limits to the summonable willpower of those immersed in an environment that promotes overeating and laziness. The instinct to seek calories and stockpile them for lean times ahead is hard-wired in our genes. (In fact, the few people who truly overcome their body's natural desire to eat have a psychiatric disorder: anorexia nervosa). It may clear our collective conscience to say that obese people can control their habits in eating and exercise, but it won't touch the epidemic.

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A key problem is that health experts usually promote dieting and exercise for obese people rather than healthy eating and physical activity for all of us. Obese people are not likely to lose weight through dieting and exercising, but we all would gain less from healthy eating and physical activity.

The only way most Americans are going to get moving is by making activity a daily routine. There may seem to be a lot of joggers out in parks these days, and private workout spas may be booming, but the percentage of Americans that are deliberately exercising seems doomed always to be small. Only about 15 percent of people tell interviewers in national surveys that they work out regularly, a number unchanged since the mid-1980s.

Large-scale community trials have proven that education programs to prevent obesity have been a complete flop.

The same generalization applies to diet. Americans try valiantly to lose weight by dieting, but almost no one keeps on a diet for long. The temptations of easily accessible food are too great. We don't need another diet. We need a way to make healthy eating unavoidable.

Snacks Attack

After 3 p.m. on weekdays in New Orleans, teenagers wearing plaid school uniforms of Warren Easton High School drift into the Burger King on Canal Street just off campus to order drinks or fries, or just to hang out. Whoppers cost $1.99. A "Value Meal," which includes a Coke and fries, is just $3.39, while packing 1,190 calories, more than half a day's requirement for teenage girls. If you choose to "King Size" your Value Meal (more fries, bigger drink) for 80 cents, you can boost the calories to 1,570.

Next to the Burger King is a McDonald's. And around the corner stands Rally's, another low-cost burger chain. The kids milling around all three make up the restaurant's largest group of customers.

America is larded with high-fat, calorie-dense junk food. Supermarkets devote more shelf space to snacks than to produce. Vending machines sprout up everywhere (including schools). As a New Orleans gas station recently, we discovered Coke vending machines on every pump island so that drivers didn't even have to walk to the cashier for 140 calories of dissolved sugar. The Coca-Cola company admits its goal is to put a Coke within arm's reach of as many people in the world as possible.

Besides in-your-face availability, these forces include saturation advertising. According to *Advertising Age*, food industry ad spending runs about $10 billion per year. McDonald's alone spends more than $1 billion and Coke more $800 million. These investments pay off, overwhelming healthy messages like the national 5-A-Day fruit-and-vegetable campaign, funded annually at a paltry $2 million.

The promotion and availability of junk food is cutting down on meals eaten at home (which tend to be relatively healthy) and replacing them with constant snacking away from home. Between 1970 and 1995, the percentage of Americans' total meal dollars spent this way nearly doubled to 40 percent. Between 1977 and 1995, the percentage of meals eaten at fast-food restaurants *tripled*. Vending-machine snack sales jumped 85 percent in the last three decades after adjustment for inflation. As of 1996, teenagers got 25 percent of their calories from snacks. From the late 1970s to the mid-1990s, consumption of soft drinks increased 131 percent. Americans now guzzle an average of 44 gallons of soft drinks per year—well over one 12-oz can a day for every American, easily enough to add a few pounds to each of us every year.

Fat City, USA

Last year, *Physicians Weekly* dubbed Atlanta "Fat City USA," after its citizens logged a staggering 100-percent increase in aggregate fatness over the previous seven years. Southern food has always clung to the waistline, but it can't account for all of the gain. Other environmental factors had to be at work. Atlanta, of course, embodies all of the worst elements of American sprawl, such as strip malls of big-box warehouse stores with acres of parking lots, six-lane roadways impossible to cross on foot, an absence of efficient public transportation—all of which make for sedentary living. But much of what ails Atlanta can be found in practically every American community.

Americans don't walk any more. If we want to move, we drive. Neighborhoods are segregated from

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commercial and industrial areas, and sidewalks and crosswalks have disappeared, making it impossible for most of us to walk to a store or to work. In 1995, the National Personal Transportation Survey showed that people traveled on foot or on bicycles for a pitiful 5 percent of trips, down from 7 percent in 1990 and 9 percent in 1983.

Nor are cars the only culprit. Nielsen surveys now show Americans watching an average of four hours of television a day. When we watch television, our bodies downshift into semi-comatose mode, heart rate and muscle activity dropping virtually to sleeping levels. (Thanks to remote control, we don't even get the tiny boost of getting off the couch.)

Even simply sitting and talking with friends burns about 35 calories more per hour than watching TV. Just three hours of TV a day can increase an average couch potato's weight by as much as seven pounds a year. Television-watching has even been the subject of the gold standard of medical evaluations: the randomized controlled trial. Over just six months, growing elementary-school children who kept their TVs gained significantly more weight than children who were asked to give them up.

Schools used to make up for these problems at home by forcing kids to exercise in physical education classes. But of the children in the New Orleans obesity clinic, only two said they had PE classes more than one day per week. National surveys showed that the percentage of high schoolers who attended PE classes five days a week decreased from 42 percent in 1991 to 15 percent in 1996; in any given week 79 percent of adolescents do not get PE at all.

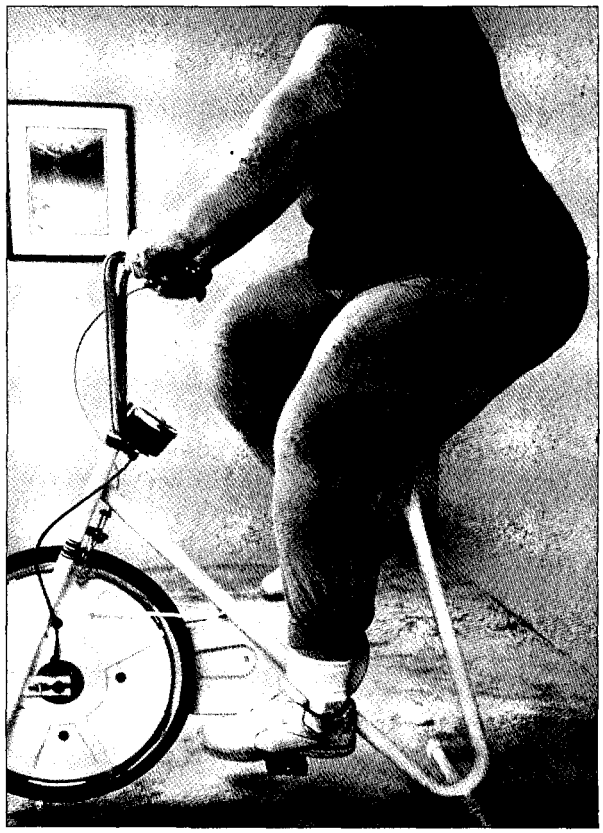
All these factors, bad enough for the middle class, turn toxic for the poor and minorities. In poor neighborhoods in New Orleans it is hard to avoid corner stores selling doughnuts, potato chips, or fried chicken, while genuine grocery stores are lacking. And in poor neighborhoods, responsible mothers worried about the dangers of the streets corral their children indoors, tethering them to television sets and video games. In a Yankelovich Partners survey, nearly one-third of Americans with incomes below $15,000 per year said they did not walk or jog in their neighborhood for fear of crime, double the proportion of those making $25,000. As a result, today, more than half of poor black women are classified as obese.

The Twinkie Tax

Given the overwhelming forces working to undermine our fat consciousness, we might conclude that obesity is inevitable. But there are plenty of things we can do to blunt the epidemic.

First, on the intake side: We can't ban junk food, but we can regulate it. Michael Jacobson of the Center for Science in the Public Interest and Kelly Brownell of Yale University have proposed slapping a tax on soft drinks and junk food. Such a "Twinkie Tax" may at first seem crazy, but even cigarette sales go down when they are taxed, and tobacco is an addictive drug for which its addicts have few alternatives.

A portion of the revenue of such a tax could be used to advertise healthy food or for counter-advertising junk food. One survey found that 45 percent of adults would support junk-food taxes if the revenues went to health education programs. Jacobson and Brownell estimate that even so tiny a tax as 1 cent per can of soft drink would generate $1.5 billion per year. If only one-third of this were used for counter-advertising, it would still only be 5 percent of the $10 billion spent on advertising by the U.S. food industry. But counter advertising works. When Congress's "Fairness Doctrine" gave us heavy counter-advertising against smoking in the 1960s, cigarette sales fell



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so quickly that the tobacco companies agreed to eliminate their TV advertising just to get the other ads off the air.

Some of the Twinkie-Tax proceeds could be used to subsidize such healthy foods as fruits and vegetables. Researchers at the University of Minnesota found that cutting the price of low-fat foods in vending machines by 10 percent increased sales by nine percent; bigger discounts correlated with even greater relative sales increases.

We also ought to think about regulating food industry advertising itself. At the very least, we should ban advertising of junk foods to kids, particularly during peak hours of children's television programming. (Parents would likely be eternally grateful to any politician who made this happen.)

Besides taxing junk food and banning its advertising to kids, we can limit the places in which it is available. No one will tell Burger King that it can't run its business, but in the middle of a killer epidemic is it really a good idea to have three fast-food joints within a half a block of a high school? There is no reason we can't, through zoning and planning, regulate the location, density, or hours of junk-food outlets, especially around schools. We also ought to put limits on the location and number of snack-food and soft-drink vending machines.

We should strengthen and enforce the USDA regulation of foods sold in schools. Since the 1940s, federal law has required that lunches and other foods sold in school be nutritious, but the junk food industry has eroded the law and its enforcement over the years. Soft-drink companies are now signing contracts that guarantee schools multimillion-dollar payments in return for putting in vending machines. We should act at the federal, state, and local levels to eliminate such contracts, banning sales of soft drinks in schools all together.

Changes in our modern environment can also increase physical activity, particularly walking and bicycling. For starters, we can require that all neighborhoods have sidewalks and bike paths. A little progress has been made here. When new transportation laws allowed federal highway funds to pay for bicycle paths and sidewalks, federal expenditures for bicycling and walking projects grew in the 1990s from almost nothing to nearly $300 million per year. Still, this represents less than 1 percent of federal highway dollars.

Building recreational bikeways and walking paths makes it easier for people to exercise, but if we really want to make physical activity routine, those paths and trails need to go somewhere useful—such as a store, school, or workplace. That means creating more densely built mixed-use neighborhoods which integrate residential and commercial real estate.

The benefits of this kind of design are already well documented. Studies show that people living in the suburbs, whose neighborhoods are typically less dense than urban areas, drive twice as far and walk and cycle one-third as often as their city counterparts. In 1994, a San Francisco study found that residents of traditional neighborhoods which had a mix of residential and commercial uses made 16 percent of their journeys by bike or on foot, whereas people who lived in the suburbs walked or biked only 10 percent thereof. A Seattle study found that the activity breakdown could even be tied to the age of one's neighborhood. People who lived in neighborhoods built before 1947 went out on foot or bike more than three times every two days. People in developments created after 1977 (just about the time the obesity epidemic took off) dispensed with their cars just one-third as often.

Consider also the design of our buildings.How often have you, entering a building for the first time, been unable to find a stairway, or if you found it, avoided it because it was dark, dirty, or behind forbidding doors? Stair-climbing is a great way to burn calories: Kelly Brownell at Yale has estimated that walking up and down two flights of stairs just once a day for a year will keep off six pounds. Studies have shown that making stairs more accessible or more attractive increase use. At a Philadelphia train station, researchers put up a sign encouraging people to take the stairs rather than the elevator because it's "better for your heart": The number of stair-users tripled. (This no doubt also increased the critical "shame factor," a powerful motivator in changing behavior, as those who didn't really want to walk up may have felt pressured into it anyway by the sight of all those who did.)

Beyond physically redesigning our environment, we can put in place other structures to keep us active. In the middle of an epidemic of this size, we simply must require that kids in school get PE five days per week. Extending the school day until 5 or 6 p.m. would also go a long way to keeping kids out of fast-food joints until their parents come home from work.

Let Them Eat Cake

None of these ideas is new. Some health experts have been calling for environmental changes like

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these for over a quarter of a century. So why haven't we done anything yet? The government agency which ought to take the lead in responding to a public health crisis is the Department of Health and Human Services, but it has delegated the problem to NIH and CDC. NIH is still working on medical approaches: A review of their research grants on obesity showed that 75 percent were for genetic and metabolic studies, and less than one percent was for studies on environmental causes. CDC has done an excellent job tracking the epidemic and publicizing it, but it is not a regulatory agency and can't change government policy.

The federal government's lead agency for nutrition is the U.S. Department of Agriculture, whose primary mission of promoting agriculture often conflicts directly with health goals of reducing food consumption.

Then there's our cherished individual freedom. Some of our fierce individualism spills over into a vague feeling among eminently reasonable Americans that the government shouldn't be telling its people where they can or can't put a vending machine, and also translates into the sense that health is an individual responsibility. But history has shown that in dealing with epidemics of all sorts, ultimately collective, not individual, action radically improves public health.

About 150 years ago, Americans were dying from old-fashioned infectious-disease epidemics. Between 1813 and 1850 in Boston, Philadelphia, New York, and New Orleans, death rates increased by 42 percent thanks to such burdens of newly industrializing cities as crowding, dirty water, and open sewers. Cholera epidemics killed people by the tens of thousands.

The age's medical experts didn't actually know much about the causes of such diseases or how to fight epidemics. But noticing that poor immigrants in the filthy slums of port cities like Boston and New York were particularly likely to get sick and die, they concluded that their eating and drinking habits were "intemperate"; that, as public health historian John Duffy writes, "the basic problem with the poor lay in their lack of moral fiber." The poor had no one but themselves to blame for their diseases. They needed to be taught a combination of personal hygiene and resistance to sin.

It was a nice idea—not so different from today's health gurus' admonitions to lay off the French fries. Of course, like our current crop of self-help dieting books, the personal-hygiene lectures didn't do anything to stop the spread of disease. Then in 1842, a British reformer named Edwin Chadwick published *The Sanitary Conditions of the Labouring Population*, which argued that miserable working and living conditions made the poor sick. They were no different from the rich, he argued, except in their environment. He called for local governments to take responsibility for fixing these problems, ensuring clean water, building sanitary sewers, removing animal carcasses, and providing decent housing.

No one will try to shut down Burger King, but in the middle of an epidemic, is it really a good idea to have three fast food joints within half a block of a high school?

Chadwick's ideas soon crossed the Atlantic and combined with citizen demands for clean water to create a "sanitary revolution" in the U.S. in the latter half of the 18th century, which forced cities to build water and sewage systems and brought about improvements in housing and working conditions. The revolution virtually eliminated infectious disease epidemics; between 1850 and 1915, death rates fell by 55 percent. This improvement—sudden and dramatic by historical standards—happened before doctors had any successful treatments for infectious diseases or even understood what caused them.

Afterward, the lesson was clear: Society could save lives not by teaching the dangers of filthy water or personal hygiene, but by improving living conditions so that people—educated or not—would drink clean water. Or as British preventive-medicine specialist Geoffrey Rose put it, "The great public health reforms of the 19th century which led to such dramatic improvements were undertaken *for* people, rather than *by* people."

If we really care about ending the biggest epidemic of our era and about saving some of those 325,000 lives lost each year to obesity, we'll have to try the same approach. ●

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Rich Man, Spore Man

If the elite want to survive bioterrorism, they'll have to make sure the poor do, too

BY STEPHANIE MENCIMER

ON OCTOBER 21, GOVERNMENT VANS, chartered buses, and even neighborhood mail trucks delivered a steady stream of postal workers to the ambulance bay of D.C. General Hospital. Nearly 4,000 people lined up to have their noses swabbed for anthrax spores and to pick up Ziploc bags of antibiotics. The parking lot of the 195-year-old public hospital swarmed with TV crews, network reporters, and Salvation Army volunteers in full uniform handing out Gatorade before faded signs that read: "D.C. General: Where Miracles Happen Every Day." Even *New York Times* columnist Maureen Dowd, who'd never before seen fit to write about the hospital, claimed to have dropped in.

Many of the luminaries seemed oblivious to an irony not lost on the postal workers, who were surprised to have been summoned to D.C. General. "I thought it was closed," said Anita Burrell, an employee of the Washington Square post office.

Indeed, it was. In June, the District of Columbia government had officially ceased to operate the city hospital, which had been bleeding money for years and, at the end, could barely keep X-ray machines operational due to lack of investment. As with other public hospitals nationwide, D.C. General had always been viewed by the city's elite as a grimy, mismanaged dump, grudgingly kept open so that less desirable elements could be steered clear of the better hospitals, which routinely dumped their own poor patients there. (D.C. General was once the only hospital in the city that would admit blacks.) It's no coincidence that the hospital shares a compound with the morgue, the sexually transmitted disease clinic, the detox clinic, and the jail.

Yet even in its neglected state, the hospital served a critical function, treating inmates with tuberculosis and drunks with feet broken from staggering in front of cars, and nursing tiny crack-addicted babies. During the early years of the AIDS epidemic, D.C. General took in hundreds of middle-class white gays kicked out of private hospitals when their insurance ran out. Five minutes from Capitol Hill, the old hospital even treated Russell Weston, the schizophrenic man who, in 1998, shot up the Capitol and killed two security guards.

During the recent boom times, though, the city's congressional overseers decided that D.C. General's $50-million annual city subsidy was government waste in need of trimming. Members of a Republican Congress led the charge to shut it down. Of course, almost every other hospital in the city was bleeding money, too, even private ones like Georgetown University Medical Center, which lost $90 million last year. Tax-exempt Georgetown was also subsidized by the federal government. But no one suggested closing it down. After all, Georgetown catered to the Establishment. By contrast, D.C. General was a place the Establishment never anticipated needing. Four months after it closed, though, the wisdom of that decision was seriously challenged, since no other hospital in the city has the capacity to handle the influx of postal workers in need of anthrax tests.

A rich society with a viable public health system would have directed the postal workers to a gleaming, modern facility configured to handle afflicted populations, complete with microbiology labs and cafeteria. Instead, the jittery federal employees ended up at a crumbling, closed public hospital where health authorities relied on improvisation and the Salvation Army to battle terrorism.

The makeshift operation exposed the toll that 30 years of neglect has taken on our collective ability to provide everything from standard emergency medical service to disease surveillance. Prior to September 11, people of means never treated the breakdown as a crisis, in large part

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because they thought they could buy their way around the holes in the public-health system. Those who fell through the holes—the poor—landed at places like D.C. General and were never heard from again.

The recent rash of bioterrorism, however, has made the poor, the middle class, and Maureen Dowd equally vulnerable to the failings of our public health system. Those very same underfunded health services that would have helped the poor before September 11 are exactly what's needed to save the rest of us now.

While it may comfort some to know their local hospital has a hazmat suit, stocking bankrupt, understaffed hospitals with such gear hardly improves the medical community's ability to respond to a terrorist strike.

Save Yourself

Government officials trying to assuage our fears of a bioterrorism attack have frequently pointed to the successful containment of the New York City smallpox outbreak of 1947. Back then, New York hadn't experienced such an outbreak in almost 50 years, and much like today, few doctors and nurses had ever seen a smallpox case. City health officials lacked the proper tools even to diagnose it.

But the New York public health department had a lot of other things working in its favor, including the remarkable capacity to manufacture its own smallpox vaccine. The city health commissioner sent the lab into 24-hour-a-day production, turned every public building into a vaccination station, and sent nurses out to knock on doors and track down the infected. The city managed to vaccinate six million people in just a few weeks, limiting the outbreak to 11 cases and two deaths.

The containment was a tremendous response by American public health officials, but there's no guarantee of a repeat performance today. In 1947, the country had not yet launched its hospital construction boom, and it boasted a fairly comprehensive network of neighborhood public health clinics that offered well-baby stations where nurses counseled mothers on proper care and feeding of their babies, as well as immunizations, disease surveillance, and other medical services. David Rosner, a public health historian at Columbia University, says much of the success of the 1947 smallpox campaign stemmed from the critical fact that the public never really panicked. The immunizations were an orderly process, says Rosner, largely because New Yorkers knew a system was in place that would ensure an equitable distribution of medical resources.

Americans today can be pretty sure that any government response to a terrorism-induced epidemic will be anything but orderly. The great public health infrastructure that existed in 1947 has badly eroded. In part, public health has become a victim of its own success, through its tremendous progress in eradicating deadly infectious diseases. But it has also suffered from 30 years of political assaults on health and welfare programs that make up the national safety net. Politicians didn't believe that voters valued traditional public health services often associated with the problems of the poor. They helped fuel what Rosner calls the "individual culpability movement," the notion that health is a personal responsibility, not a public one. The government health message, says Rosner, became: "Save yourself, quit smoking."

Ronald Reagan delivered the biggest blow to public health with his war on federal funding for health related anti-poverty programs. As he inflated defense budgets, Reagan eliminated the entire U.S. Public Health Service Corps, which provided doctors to rural hospitals, Indian reservations, and other underserved areas, and shuttered Public Health Service Hospitals. The Indian Health Service and Office of Refugee Health were decimated and Medicaid rolls slashed. By 1993, funding for public health programs as a proportion of the American healthcare budget had plunged 25 percent.

Public health took more whacks when Republicans regained control of Congress in 1994. In their campaign against the federal government, lawmakers delivered federal health funds directly to the states in block grants with few strings attached. States seized on the opportunity to divert the money to other needs. For instance, in 1995, Arizona Gov. Fife Symington used health and welfare funds to increase spending on police, prisons, and highways, and almost halved public health, according to Laurie Garrett in her tremendous book on global public health, *Betrayal of Trust*. The advent of the AIDS epidemic somewhat stanched the bleeding as affluent white gay men discovered firsthand how bad the public health system had become. Their appearance at D.C. General in the early '90s spurred some brief improvements, but those disappeared when they did.

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Privilege Paranoia

In the next few months, Health and Human Services Secretary Tommy Thompson may be able to round up enough vaccine to inoculate a few million Americans against smallpox. But he'll still face the problem of how to distribute it. Without the public network of clinics and nurses that existed in 1947, Rosner says a similar program for smallpox vaccinations today would launch "ugly battles over who gets it."

The outrage among postal workers neglected for treatment, and the run on the anthrax drug, Cipro, may be an inkling of what lies ahead. Thanks to our lack of preparedness, the now-famous "Dark Winter" simulations have predicted that a bioterrorism attack in a major urban center would cause civil unrest that would make the 1968 riots look like a frat party. At a 1998 Senate hearing, bioterrorism expert Michael Osterholm warned, "A single case of meningitis in a local high school causes enough fear and panic to bring down a whole community. Now imagine you're telling people, 'This is going to unfold for eight weeks, and I can't tell you if you're going to die.'"

Infectious disease is a great equalizer. As one expert notes, if smallpox were to break out in New York City, the military would close the bridges before the rich could flee to the Hamptons. The potentially infectious of all classes would be too dangerous to move around, and likely would end up in one place, which, in D.C., could be the parking lot of shuttered D.C. General. This prospect helps explain the sudden and extreme anthrax paranoia among highly educated and privileged people like Georgetown socialite and *Washington Post* columnist Sally Quinn, who has publicly admitted to buying gas masks and other survivalist equipment. In more peaceful times, Quinn could be reasonably safe in assuming that her money and position would buffer her from infectious disease, or, were she exposed, would ensure her the best private medical care.

Terrorism changes that equation. Why else would Maureen Dowd try, as she has admitted in her column, to hoard Cipro? It's the fear of competition for limited resources, for which the privileged are accustomed to being the first in line. Terrorism raises the possibility that to get their Cipro or smallpox shots, Quinn and Dowd would have to fight their neighbors along with the great unwashed likely to be piled up already at the local emergency room—an unpalatable situation for anyone, but especially for those accustomed to being above the fray.

Thanks to our lack of preparedness, the now-famous "Dark Winter" simulations predict that a bioterrorism attack in a major urban center would cause civil unrest that would make the 1968 riots look like a frat party.

The Dan Burton Virus

Bioterrorists don't need rare pathogens like smallpox or glanders to inflict misery. In many parts of the United States, old-fashioned whooping cough, measles, or even polio germs would do the trick. Years of healthcare cuts for the poor and the disappearance of public health infrastructure has left the U.S. with some childhood immunization rates that rival some Third World countries.

At the beginning of the Clinton administration, former HHS Secretary Donna Shalala begged American doctors to improve childhood vaccination. At the time, only 44 percent of all American children were fully vaccinated, and diseases once thought eradicated were resurfacing with a vengeance. In 1990 in Los Angeles, where fewer than half of the children under five years old were vaccinated, an outbreak of measles hospitalized 107,000 and killed 40, mostly poor, minority, and uninsured kids.

The Clinton administration launched a drive to raise immunization rates, and by 1999, those rates reached record highs. But in cities like Houston, with huge numbers of uninsured, that still meant that, according to the CDC, some 40 percent of children weren't being fully immunized. Yet attempts to bolster those numbers were undercut by the revival of a serious anti-immunization movement.

This movement included Gulf War veterans who believed, without much evidence, that they had been sickened by a military anthrax vaccine. But the most influential opposition to national immunization programs came from a vocal group of middle-class parents, who claimed (again, without any scientific evidence) that their children had developed autism as a result of vaccinations for measles, mumps, and diphtheria. The movement received national endorsement from Republican bulldog Rep. Dan Burton of Indiana, whose granddaughter is autistic. Burton, who has held hearings on the

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purported connection between autism and childhood vaccines, has led a charge in Congress to bash the Centers for disease Control (CDC) about vaccine research and to spread misinformation about the safety of these immunizations.

The publicity prompted many parents to begin opting out of mandatory immunization programs. In 1998, for instance, more than 11,000 children in Colorado legally avoided getting immunized because of their parents' philosophical and religious opposition. Even more alarming, in the late 1990s, between 60 and 70 percent of all cases of measles, mumps, and whooping cough occurred among white children with health insurance—a completely new phenomenon.

Immunization programs work best if everyone participates, particularly to the advantage of the poor, who tend to be most vulnerable to outbreaks of infectious diseases. Likewise, the anti-immunization movement endangers everyone's babies; infants too young to be immunized are vulnerable to dying from just the diseases (whooping cough, measles) that are easily spread by older, middle-class white kids whose parents opted out of vaccinations.

The movement also undermined the nation's ability to manufacture critical vaccines. Producing vaccines has never been a very profitable enterprise. Most pharmaceutical plants would prefer to make Rogaine—more money, less risk. Because vaccines do carry some risk of injury, although far lower than the risk of the diseases they protect against, vaccine makers have always been subject to lawsuits. But in 1988, the litigation became so burdensome that the nation's vaccine manufacturers threatened to shut down all together. To keep the manufacturers afloat, the government created a special victim-compensation fund to limit their liability.

Though the fund helped maintain some production capacities, anti-immunization activists have continued to pummel vaccine makers with class-action lawsuits alleging that vaccines caused everything from autism to diabetes. Not every suit is covered by the fund. As a result of such pressures (and the lack of financial incentives), there is only a single manufacturer of measles, mumps, and rubella vaccine. Earlier this year, one of the country's two tetanus-vaccine makers ended production, creating a critical national shortage. Similar problems surround flu vaccines.

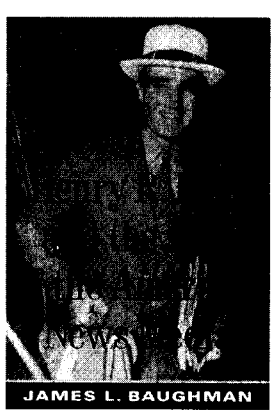
Anti-immunization activists have also weakened state mandatory immunization laws and fought a Clinton initiative to create computerized vaccination registries in every state that would help ensure that all kids get their shots. For instance, two years ago in Idaho, which has the second-worst immunization rate of any state, immunization opponents, including the Christian Coalition, fought such a state registry. The Idaho legislature finally passed a bill establishing the registry—and then refused to fund it. In Texas, activists forced public health officials to purge the names of 700,000 kids from that state's registry.

Such systems would not only critically raise immunization rates among poor kids, they might have proven useful in containing any outbreak of bioterrorism.

Since September 11, Americans demanding new smallpox and anthrax vaccinations have drowned out the anti-immunization activists. (A Montana veterinarian friend of my father's recently received a call from a woman begging for the anthrax vaccine used on cattle. She wanted to use it on her kids.) But some damage has been done. The movement undoubtedly undermined public health networks that today might serve as the "front line of defense" against bioterrorism.

No Escape to the Hamptons

When those 3,500 postal workers showed up at D.C. General for their Cipro, it was fortunate that most weren't actually sick. A few dozen anthrax cases could have completely overloaded the city's hospital system. Even on a regular day, if you call 911 for an



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ambulance in D.C., there's a good chance you'll be in for a long ride before it finds some place to deliver you. Since D.C. General closed, city hospitals have seen their emergency rooms overrun by poor and uninsured patients. The wait in some private hospital ERs now exceeds several hours, and they routinely close their ERs to ambulances when patients start to back up, a scene familiar across the country.

Over the past four years, government Medicaid and Medicare cuts, managed care, and an increase in the number of uninsured Americans have combined to shrink the nation's supply of available hospital beds and left many hospitals financially ailing. In some places, this has been a welcome contraction, as the glut of beds increases healthcare costs. But market forces, not public health officials, have determined the pattern of downsizing, and the market hasn't done a very good job of providing for emergency capacity or uninsured clientele. As a result, in nearly every city considered a likely target of bioterrorism, the hospitals that would be on the front lines can barely handle flu season, much less an outbreak of smallpox.

In the last five years, California has closed more than 23 hospitals and 50 emergency rooms, and more than half the remaining hospitals are losing money. When a flu epidemic swept Los Angeles in 1998, the county had to implement disaster plans used for earthquakes and other crises. Massachusetts lost 24 percent of its hospital beds between 1988 and 1998. In a recent one-week period in Boston, the city's 17 major hospitals were operating at an unheard of 96.2 percent occupancy rate, and emergency rooms have closed to ambulances on a regular basis. In Cleveland, four of the region's leading hospitals last year were in bankruptcy; the high-level trauma center at Mt. Sinai was closed and its teaching program shuttered. In the month of May, metro Cleveland's 22 emergency rooms were simultaneously closed to ambulances for almost 10 percent of the month due to the lack of space.

All told, American hospitals lost 103,000 staffed beds and 7,800 medical/surgical beds during the last decade, even as the population grew by 10 percent. And the CDC reports that 370 emergency departments disappeared between 1994 and 1999.

This trend is likely to continue. Thomas Prince, a health economist at the Kellogg School of Management at Northwestern University, who has studied the hospital industry's contraction, predicted in 1999 that 800 health care facilities would close within five years. His predictions are proving remarkably accurate. Needless to say, this doesn't make the prospect for a public health response to bioterrorism very reassuring.

Homeless Time Bombs

The hospital industry recently asked Congress for $11 billion for such disaster-relief equipment as radios, bullhorns, gloves, masks, a few hazmat suits, ID badges, decontamination rooms, portable shower systems, outdoor decontamination tents, antibiotics for a 24-hour period, and other supplies like wheelchairs and stretchers. While it may comfort some to know their local hospital has a hazmat suit, stocking bankrupt, understaffed hospitals with such gear won't much improve their ability to respond to a terrorist strike.

Real homeland defense would require untangling the nation's emergency room problems, and that can only be accomplished by dealing with the plight of the 43 million uninsured people who rely on emergency rooms for primary medical care. Even as emergency rooms have gone dark across the country, ER visits jumped 14 percent between 1994 and 1999, largely because the number of uninsured Americans grew by 10 million over the past decade. Coupled with a nursing shortage, the overload in the ER has become a life-or-death issue even without a terrorist attack. In Los Angeles, where nearly one in three people is uninsured, and nursing vacancy rates top 20 percent, dozen of emergency rooms in the heart the city are regularly closed to ambulances. The state is now is investigating three deaths in Los Angeles, after emergency dialysis treatments were delayed, according to *U.S. News & World Report.*

Things are no better on the other coast. Mohammad Akhter, executive director of the American Public Health Association and the former D.C. Public Health director, says the hospital system would be quickly overwhelmed in a terrorist attack. In fact, the only reason New York hospitals could respond to the World Trade Center attack is that there were so few injuries—most of the victims simply died. "There is no community in the U.S. where there is capacity to deal with 500 very sick people all at once," says Akhter. "We are now really at a point where we have cut our health care to the bone."

The lack of health insurance and adequate healthcare for all Americans has created another, perhaps more menacing problem. Dozens of studies have shown that people who don't have health insurance tend to delay seeking treatment when sick—until they're in critical condition. This fact never moved most lawmakers to address the problem before September 11. But what if some deranged lunatic does unleash smallpox on Washington, D.C.? We know the first people likely to get it will be the poor and uninsured, because they were less likely, when young, to get

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vaccinated and because poor diet and weakened immune systems leave them most vulnerable. In fact, a smart terrorist wouldn't release smallpox into the air vents at the State Department, he'd do it at the Community for Creative Non-Violence (CCNV), the 1,400-bed homeless shelter nearby.

CCNU is stocked to the gills with HIV-infected, pneumonia-wracked, drug-addled, and mentally ill poor living in close quarters, and smallpox would spread through it like wildfire just as drug-resistant TB once did. And instead of getting quick medical care (and isolation) the way State Department employees would, those homeless residents would fan out across the city, riding buses and subways, visiting libraries and churches, and even sleeping on the steam grates at the State Department. They would be walking time bombs, nearly impossible to track. Healthcare for the homeless could become a matter of national security. Wouldn't Reagan love that?

Enlightened Self-Interest

When cholera morbus arrived in East London in 1832, the local townships had little in the way of public health infrastructure to help combat an epidemic. Initially, in a faint echo of the way American leaders reassured postal workers, East London business interests denied that cholera had even arrived in Sunderland, 250 miles away, thereby justifying inaction. Later, the rich and the Whig radicals thought it best to simply ignore the poor suffering the brunt of the epidemic. But after factory workforces were decimated by cholera—800 people in Sunderland eventually died of the disease—and the threat to the middle class finally became evident, the government grudgingly began to act. Officials created public health boards empowered to take action to clean up the slums believed to be the breeding ground of the disease. They ordered proper disposal of infected bodies, the cleaning of houses, and better sewer systems—improvements that became permanent.

Cholera was not actually the main killer in the slums during this time. TB killed more people, and the poor were lucky just to reach adulthood among the horrors of the East London slums. But cholera was mysterious, and, like many of the possible bioweapons we know about today, it produced a quick and nasty death that even the rich could not escape. The hysteria surrounding cholera, even more than the death toll, proved to be a great motivator. The sanitary movement eventually made its way to the U.S., as did the message about the perils of ignoring the health of the poor.

As Mohammad Akhter notes, "Rarely do public health initiatives start because of charity." As with the response to the cholera epidemics, great public-health developments are always tied to the self-interest of the establishment. In the U.S. during World War I, for instance, the government discovered a tremendous amount of disability among draftees that prevented many from serving. After that, the military engaged in a healthcare campaign to guarantee its potential supply of soldiers. Similarly, after World War II, Congress passed the Hill-Burton act in 1946, which set off the federal government's move to spend $4 billion modernizing and building hospitals around the country. The spending spree laid the groundwork for today's remaining public hospitals. Similar tales describe the creation of health insurance and occupational health clinics, both formed to keep workers on the job. "It wasn't," Akhter points out, "because we wanted to do something for the poor."

Sadly, it's taken the threat of anthrax in the subway for the Establishment to rediscover the value of those old public hospitals and neighborhood baby stations. Just as few could escape the cholera epidemics of the 19th century, few Americans today will be safe from bioterrorism. Even if the rich and powerful could somehow wall themselves off from disaster, Dick Cheney-style, their status remains heavily dependent on the good health of middle-class workers, who won't have the luxury of escape. If Maureen Dowd and Sally Quinn really want to protect themselves, they'd do well to forget the gas masks and spend a little less time chronicling the Washington cocktail party scene and a little more time championing the renaissance of D.C. General.

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Can't Beat 'em? Sue 'em!

What liberal lawyers love about Bush's education plan.

BY SIOBHAN GORMAN

GEORGE W. BUSH LOVES TO GIVE people nicknames, often with a bit of an edge to them. Were Bush to meet attorney and activist Michael Rebell, it's a good bet he'd choose something along the lines of "Pointy-Headed Liberal." Rebell's colleagues use "Tortoise" to describe the balding and slightly nerdy self-described "child of the '60s," who has spent three decades fighting to improve inner-city education in a way that conservatives loathe: Rebell's favorite weapon is the lawsuit.

When it comes to school reform, President Bush backs high standards and high-stakes tests, which form the core of the education plans currently before Congress. By contrast, Rebell believes in "throwing money" at schools, an objective that he's discovered can sometimes be accomplished by suing states to force them to spend more money on urban school districts, where per-pupil spending tends to lag far behind that of suburban schools. He's just won a victory in New York, and has set up a network of lawyers, professors, and politicians to press this case nationwide.

So it may seem odd that Rebell is excited about Bush's education plan. It's not that he favors Bush's policies so much as what they'll produce: detailed test scores that measure student learning. Or, in his eyes, a potential bonanza for lawsuits. He's probably right. Difficult as it may be for supporters of accountability to accept, the tests are likely to provide lawyers like Rebell the motherlode of evidence they need to sue states (and possibly the federal government itself) to release the flood of new money for urban schools for which liberals have long thirsted.

Back in the late 1960s, when Rebell was still studying at Yale Law School, liberals were becoming frustrated with the slow pace of change following the 1954 *Brown v. Board of Education* decision. They began to argue that in order to guarantee *Brown's* endorsement of equal access, the federal government needed to ensure equitable education funding for all children. They tested this strategy in a lawsuit, which charged that underfunding of the school system in San Antonio, Texas, violated the 14th Amendment to the Constitution, which guarantees equal protection. But the argument failed to persuade the Supreme Court, which ruled in *San Antonio Independent School District v. Rodriguez*, in 1973, that education was not a "fundamental right" under the Constitution, stressing that Rodriguez's lawyers had failed to provide a mechanism to asses relative differences in the quality of education and their connection to spending.

Following *Rodriguez*, liberal lawyers turned their sights on the states, arguing that unequal school financing violated the equal-protection clauses in state constitutions. This strategy worked for a while in such states as California, New Jersey, Arkansas, and Connecticut. But the courts gave the states little guidance to fix these complicated problems.

In many cases, what resulted in the classroom was the opposite of what advocates had intended. The California Supreme Court, for example, ruled that

SIOBHAN GORMAN *covers education for* National Journal.

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the spending gap between rich and poor districts could not exceed $100 per student. So taxpayers simply stopped spending money on education. California has since dropped from fifth to 46th in the country for state spending per student—edging out Mississippi, which ranks 47th.

By the mid 1980s, it had become clear that these cases weren't producing better schools for poor children. State court judges gradually accepted the rationale of the *Rodriguez* decision. By 1988, school-funding suits failed in seven states, succeeding in only two.

The following year, President George H.W. Bush convened the first National Education Summit with governors and business leaders, which agreed that schools needed more guidance in how to improve their curricula, and began working on a set of national goals. They concluded that states needed to develop a set of statewide "standards" that set out what children should be expected to know in each grade, thus initiating the standards movement.

The concept of standards in education turned out to be a breakthrough for the lawyers. The problem that courts had with the old "equity" argument was the plaintiffs' inability to prove that low-income students were truly getting a poor-quality education. But if states set standards for what students should know, and used tests to measure the progress toward meeting them, the lawyers would finally have the evidence they had lacked.

Bush's accountability tests are likely to provide liberal lawyers with a motherlode of evidence they'll use to sue states for better education funding in poor school districts.

Rebell Offensive

With that in mind, judges in Kentucky that same year ruled in favor of the plaintiffs in a school-financing suit and inaugurated an entirely new rationale of "adequacy." Instead of arguing about inequitable financing, they ruled that Kentucky had violated the right laid out in its state constitution of all children to be provided a basic education. Equity looked at the amount of money going in; adequacy examined the quality of education coming out. The Kentucky Supreme Court found the entire state school system "underfunded and inadequate." By measuring adequacy through tangible factors like student-teacher ratios, curriculum, and teacher pay, the court was able to declare the system itself unconstitutional and order the state to adjust spending so that it was "sufficient to provide each child in Kentucky an adequate education."

As more and more states joined the standards movement and developed statewide tests, they made it easier for lawyers like Rebell to prove their case. Test-score gaps which correlated with funding gaps proved highly persuasive to state courts. "You also have a focus on where the gaps are," explains Rebell, a lecturer at Columbia University Law School. "The evidence is clearer who is failing by how much they are failing." Since 1989, the adequacy argument has won mandates to equalize funding in 18 of the 28 such cases.

In 1993, prodded by a parent who chaired his local school board in New York City, Rebell formed the Campaign for Fiscal Equity (an umbrella outfit for parents and school board groups in his class-action suit) and sued New York state, in an action which reveals how important test scores are in building a case.

The suit hinged on the yawning divide between the test scores in New York City and in the wealthy suburbs nearby. In the city, only 44 percent of fourth-graders met state reading standards last year. In nearby Chappaqua, that number leapt to 96 percent, a gap which correlates with funding: New York City spends about $10,000 per pupil, the state covering 43 percent of that cost. In Chappaqua, by contrast, 93 percent of the nearly $16,000 spent per student comes from local property taxes. City schools also receive around $2,000 less in state funds per student than similarly strapped school districts in cities like Buffalo or Yonkers. (Still, schools in New York spend much more per student than the national average of around $6,800.)

These well-documented spending and test-score gaps persuaded the court. In January, Judge Leland DeGrasse ruled that New York City students "are not

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receiving a minimally adequate education." He indicted the quality of the city's teaching force, surging class sizes, minimal use of instructional technology, and dilapidated school buildings as sources of the city's sagging test scores and 30-percent dropout rate and concluded that "increased educational resources, if properly deployed, can have a significant lasting effect on student performance."

If Rebell prevails on appeal—the national trend suggests he likely will—New York will be faced with an additional annual outlay of about $3 billion on top of its $13 billion annual education budget. That's a

Who's Who

By Paul Glastris

Those who have lost family members to terrorism often speak of the frustration and powerlessness they feel at not being able to do anything personally to help bring the guilty to justice. This is one emotion that perhaps Solicitor General **Theodore Olson** has been spared. Ever since his wife, conservative commentator **Barbara Olson**, was killed in the jet that crashed into the Pentagon Sept. 11, Olson, the Bush administration's top lawyer, has been one of the driving forces behind tougher anti-terrorism laws, including the new executive order requiring military trials for suspected terrorists.

Postmaster General **John Potter** drew a hail of criticism for his lax response to the anthrax contamination that swept post offices. If **George W. Bush** is inclined to replace him, he might consider *National Journal* publisher **David Bradley.** Bradley was so spooked by anthrax that he arranged for two physicians to hold open hours for *National Journal* staffers, convinced **Dr. David Parenti**, director of infectious disease at George Washington Hospital, to be on call, and set up an email address for worried staffers to send questions: drquestions@nationaljournal.com. Bradley is also hoping to team up with *The Washington Post*, NPR and NBC News to irradiate the magazine's mail.

James Dobbins is sort of the Mr. Cleanup of American diplomacy. The career foreign service officer was tapped by the Clinton administration for such thankless jobs as extricating the U.S. from Somalia in 1994 and overseeing peace operations in Haiti and Kosovo. Two years ago, Capitol Hill conservatives, eager to upend Clinton's Kosovo policy, accused Dobbins of lying to Congress regarding his knowledge of investigations into a politically motivated killing in Haiti. Former Clinton administration officials say the charge was bogus and that Dobbins is a first-rate diplomat. The Bush administration seems to agree. Dobbins is now the new U.S. envoy to the fractious Afghan opposition, responsible for pulling together a new government.

Speaking of thankless jobs, consider the new position that former Montana Governor **Marc Racicot** now has in the Bush administration: special envoy to Canada for soft lumber. This is the same Marc Racicot who is a longtime Bush buddy and was thought to be a shoe-in for attorney general last winter, until right-wingers decided he was too liberal and convinced Bush to choose **John Ashroft**. As it happens, the soft lumber job, while not prestigious, is actually pretty important. Canada is awash in oil and gas, which we need, as well as Islamic terrorist cells, whom we want Canada to lock up. But right now, Canadian Prime Minister **Jean Chretien** is furious with Washington for slapping a 12.6 percent duty on Canadian softwood lumber exports based on a largely-trumped-up dumping claims. If Racicot can mend fences, there's probably a bigger administration job for him down the road.

The Bush administration showed the U.N. nothing but contempt prior to Sept. 11. So how did it manage three weeks later to convince the Security Council to pass a resolution that binds member states to adapt their anti-terror laws and pursue terrorists? A big part of the answer is the close relationship between Secretary of State **Colin Powell** and U.N. Secretary General **Kofi Annan**, notes **Gregory Maniatis** in *New York* magazine. The two talk several times a week by phone. Annan also serves as Powell's back channel to Iranian President **Mohammad Khatami**, a central player in any future Afghan settlement.

Ever since Sen. **Phil Gramm** announced plans to retire in 2003, the speculation has been that he would become president of Texas A&M University, where he once taught economics. But a long-time GOP friend of Gramm's says the senator isn't much interested in the job because, like all university presidencies, it mostly involves fundraising. Rather, Gramm hankers either to succeed **Alan Greenspan** when the Fed chairman's term ends in 2004, or to replace **Paul O'Neill**

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bigger boost for just New York City than the entire $24 billion increase which Bush originally had planned for the entire federal education budget. (Democrats eventually pushed the total to $7 billion.)

And New York is just the latest example of this trend. It echoes the recent experiences of states like New Jersey, Ohio, and Wyoming, where judges have been equally sympathetic to claims of educational inadequacy and have required the states to spend more money to fix it. Those states currently rank among the biggest spenders (per student) in the country.

as treasury secretary.

Top White House political adviser **Karl Rove** had his fingers in just about everything until Sept. 11, when he suddenly found himself shut out of the meetings where the national security boys (and **Condoleezza Rice**) were plotting war strategy. But Rove has managed to get somewhat back in the game by working with the team of four women who are coordinating the administration's worldwide counter-propaganda effort. They include presidential counselor **Karen Hughes**, vice presidential adviser **Mary Matalin**, Pentagon spokesperson **Victoria Clarke**, and undersecretary of state for public diplomacy **Charlotte Beers**.

The president has finally begun to find new ways to engage the American people in the war effort beyond asking them to go shopping. In a primetime speech last month, he called for 20,000 AmeriCorps members to serve in homeland security rolls and announced a new White House task force to dream up other ways for citizens to be involved. The brains behind this push for citizen service is White House deputy domestic policy director **John Bridgeland.**

Before joining the administration, Bridgeland was chief of staff to Rep. **Rob Portman** (R-OH), the low-key but influential House leadership chairman. Portman is the only GOP House member who worked in the administration of **George H.W. Bush.** That means a lot to an administration that values loyalty and service to the Bush dynasty. Portman has three other former staffers on the White House payroll: **Joe Hagin**, deputy chief of staff; **Brian Besanceney**, press secretary in the domestic policy shop; and **Melissa Bennett**, executive assistant to chief of staff **Andrew Card.**

To help battle bioterrorism, pharmacuetical executives have generously offered to send scores of scientists, now on industry payrolls, to work in government agencies. But the drug companies have also managed to stave off actions detrimental to their bottom lines, such as violating patents or forcing them to supply free drugs. *The New York Times'* **Leslie Wayne** and **Melody Peterson** note that the industry has many friends in high places, including Defense Secretary **Donald Rumsfeld** (former CEO of the drug maker G. D. Searle) and Office of Management and Budget Director **Mitchell E. Daniels Jr.** (former Eli Lilly executive). Indeed, more than half the drug industry's 625 registered lobbyists are either former members of Congress or former congressional staff members and government employees, according to a report from *Public Citizen*. They include such former lawmakers as **Beryl F. Anthony Jr., Birch Bayh, Dennis DeConcini, Vic Fazio, Norman F. Lent, Robert L. Livingston, Bill Paxon, Robert S. Walker** and **Vin Weber.**

The threat of bioterrorism and the revolution of biomedicine have combined to make the post of director of the National Institutes of Health one of the most vital in government. Amazingly, the Bush administration has yet to nominate anyone for job. But among those being considered is **Dr. Anthony S. Fauci**, the high-profile and highly-respected head of the NIH's office of allergies and infectious diseases.

Bill Clinton prosecuted and won two difficult wars, in Bosnia and Kosovo, without the loss of a single American in combat. Yet national security experts have nothing but contempt for his military leadership, largely because he failed to follow their advice. Instead of committing U.S. ground troops, as the experts demanded, Clinton improvised a new strategy: precision air strikes, and other peoples' ground troops (the Croats in Bosnia, the KLA in Kosovo). **George W. Bush**, who came to office similarly dismissive of Clinton's war leadership, wound up employing Clinton's strategy in Afghanistan, with the Northern Alliance serving as the proxy ground force. This fact has driven some arm-chair strategists over the bend. On November 8, *The New Republic* published a cover story, "The Case for Ground Troops," which ridiculed Bush for following Clinton's lead: "it appears the Taliban will rule Afghanistan through the winter, thereby handing the United States a humiliating and gratuitous defeat." A few days after the article went to press, the Northern Alliance took control of 90 percent of Afghanistan.

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How Courtrooms Can Fix Classrooms

If Bush's education bill, or some version of it, passes Congress, it will mean big business for Rebell and his allies. Requiring states to test students in grades 3 through 8 every year in reading and math, as Bush's plan does, will produce detailed measurements of how many students are meeting states' standards. That sounds like common sense, but most states don't do this. And the veracity of these state tests will be checked against a nationally administered test. If done properly, states will have much higher quality data than they do now—and tons of it.

While only 15 states currently test that much, soon every state will, which means every state will be exposed to lawsuits arguing that the reason students in poor school districts don't measure up is that the states are not spending enough on those students.

Thanks to Bush's plan, Washington itself could be liable—lawyers may soon have high-quality, nationally comparable state test scores which will allow them to prove what the plaintiffs in *Rodriguez* 30 years ago could not. If they're able to link this data to particular kinds of reforms—say, smaller class sizes—then lawyers could provide the courts with a remedy to increase test scores in poor districts. With such comprehensive evidence, it may be possible to argue to the Supreme Court that national government's failure to pay for such reforms violates the 14th Amendment—a possibility of which education activists are fully aware. "We will never have a better chance," says Bruce Hunter, the director of public policy at the American Association of School Administrators. "In five or 10 years, the people who gave us this [annual testing] are going to rue the day that they did."

All of these cases beg the question of whether more money actually will improve schools. The short answer is: It depends. It hasn't in New Jersey, which now spends more per student than any other state. According to last year's statewide tests, more than half of New Jersey's fourth-graders can't read proficiently, even though the state spends more per pupil than any other. On the other hand, money appears to have helped in Kentucky, where the court ruling required an overhaul of the school system that focused on setting goals and measuring student's progress. It pumped more money into poor schools, established tough standards, and boosted teacher pay. The performance in state and national tests of students in every racial and economic category has improved over the last decade, even though overall performance remains low. And 10 years after Kentucky's reforms, the funding gap between rich and poor districts has only narrowed from $1,199 per student to $757 per student.

Using courts to obtain that money has a number of downsides. Like all legal remedies, it's inefficient. Lawsuits can take years to play out because they are subject to endless appeals and finagling by politicians. After 28 years, the New Jersey case is still being fought; Ohio has spent a decade in court; and experts expect Rebell's New York case to drag on for at least another five to 10 years. Already, the legal fees are approaching $25 million.

In addition, court-ordered remedies short-circuit the political process, which angers voters. Indeed, it cost at least one politician his job. In 1993, then-New Jersey Gov. Jim Florio lost his re-election bid after he raised taxes to pay for $1 billion that the courts had required.

Some, especially in Bush's camp, also charge that lawsuits could stall the accountability movement. Erik Hanushek, a senior fellow at Stanford University's Hoover Institute who advised Bush's presidential campaign, argues that testing-inspired litigation could stall any other school reforms until the suits run their course because the state legislatures are so preoccupied with responding to the court's demands that little else can be done on education. "These lawsuits, at least when they're successful, tend to, in fact, impede significant reform in the schools," he said. "I think it would be very bad for U.S. education."

But there are ways out. The easiest way to avoid lengthy legal battles is to close the test-score gap, so that lawyers like Rebell don't have a case. The catch is that doing so will probably cost many states billions of dollars, just as they're struggling to ward off deficits. Of course, states which get dragged into court for allowing that test-score gap to persist are likely to be forced to pony up not just for reforms, but for millions in legal fees as well.

If he wants to preempt the lawyers, Bush might consider a bigger role for Washington. Given that the federal government's primary responsibility in education is to make sure—as Bush would say—that no child is left behind, he could offer some version of a matching grant to give states an incentive to equalize per-pupil funding. That arrangement could not only stave off "big trial lawyers" but also give the president a chance to ensure that the money boosts student achievement instead of fattening bureaucracies—another of his favorite targets. ●

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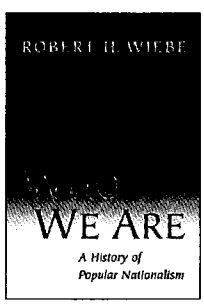
Nationalism and its Discontents

In the wake of Osama bin Laden's global religious terrorism, old-fashioned nationalism is looking better and better.

BY MICHAEL LIND

"HOW DID EDUCATED WESTERNERS come to make enemies of an inspiration that has changed the lives of billions of people?" Robert H. Wiebe writes at the beginning of his eloquent and profound new study of the phenomenon of nationalism, *Who We Are*. During World War I, American progressives like Woodrow Wilson viewed national self-determination as one of the building blocks of a new, more humane global order. "But disillusionment after the First World War turned to revulsion after the Second, and at mid-century Western intellectuals dug in to battle the nationalist spirit."



WHO WE ARE:
A History of Popular Nationalism
by Robert H. Wiebe
Princeton University Press, $24.95

Following the Cold War, the conventional wisdom on any the North Atlantic democracies held that there was a new struggle between the enlightened, progressive forces of internationalism—symbolized by the global market and/or supranational regional blocs like the European Union—and nationalists, who were dismissed contemptuously as racists, xenophobes, and protectionists who failed to understand economics. Murderous Serb chauvinists intent on ethnic cleansing, not the peaceful, enlightened nationalists of the Baltic republics who initiated the overthrow of the Soviet empire, were treated as the archetypal representatives of nationalism. The bloodless divorce of the Czech and Slovak republics was ignored by statesmen and pundits who claimed that national secession invariably produced wars and spasms of ethnic cleansing such as those that accompanied the breakup of Yugoslavia. Although scholars like Walker Connor and Anthony D. Smith insisted on the deep roots and persisting power of national sentiment, they tended to be drowned out by critics of nationalism like Orientalist Elie Kedourie and the Marxist Eric Hobsbawm, who unwisely predicted in the 1980s that nationalism was about to fade away. In most elite circles, one who had anything favorable to say about nationalism met with suspicion or contempt.

September 11 ended the era of post-national liberal utopianism that began with the fall of the Berlin Wall in 1989. Today, talk of a Manichaean struggle between the forces of enlightened globalization—represented, depending on your politics, by multinational corporations or nongovernmental organizations—and reactionary nationalism seems archaic. Now, the greatest threat to liberal civilization seems to come not from secular nationalism, but from transnational religious fundamentalism. International banking, instead of promoting western values, has been manipulated by anti-Western terrorists. The military and the police, those instrumentalities of the allegedly obsolete nation-state, suddenly seem more important to world order than footloose corporations, international investors, and transcontinental lobbies for human rights and the environment.

In this period of conceptual as well as geopolitical

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confusion, Wiebe's study provides a helpful guide to the origins, nature, and future of nationalism. Wiebe, who died last year, was one of America's most wide-ranging and creative scholars; his studies of American history and politics, *The Search for Order* (1967) and *The Segmented Society* (1975), are masterpieces of their kind, challenging the unexamined prejudices of many American academics while avoiding their often-ponderous style. Wiebe's overview of the role of nationalism in world politics, like his earlier books, is learned, penetrating, frequently pungent, and always free of cant.

Anti-nationalist historians such as Hobsbawn like to portray nationalism as a kind of false consciousness. In their telling, the nationalist sentiments that arose among different ethnic groups in Europe in the 19th century, and later in the rest of the world, were not authentic popular uprisings but the result of clever propaganda. Elites bent on carving nation-states out of empires duped members of their own ethnic group into believing that they composed an historic "nation," even though most had never thought of themselves as such before. Wiebe, by contrast, sees the rise of nationalism as practical human adaptation to modern life. As people migrated from villages to cities, they came to rely on networks of kin to relay news, job prospects, and remittances. These networks of trust and affection soon expanded to include people from one's village, then those from one's region, and eventually to all those who spoke the same language. From there, it was a short step to nationalism. "Ethnicity turned into nationalism when cultural consciousness acquired a political objective," writes Wiebe—for example, the desire for self-government or to escape from oppression. "Ethnicity and nationalism, in other words, solved problems migration posed."

Chicken Kiev

The period between the first and second world wars was the heyday of European nationalism, for dozens of small nation-states had been created from the multinational Habsburg, Hohenzollern, and Ottoman realms. Following World War II, however, the nations of Europe were divided between the spheres of influence of two superpowers. The Soviet Union's Marxist-Leninist ideology had always been anti-nationalist on principle. During the Cold War the United States dropped its historic support for national self-determination, partly from a sense that German National Socialism, Italian fascism, and Japanese imperialism had discredited nationalism, but mainly out of a fear of instability that might be exploited by the communist bloc.

Much of the Cold War struggle took place in Asia, Africa, and the Middle East, where decolonization often left ethnic nations divided among artificial states whose borders had been drawn a few decades or generations earlier by European colonial administrators. But these imperial successor states, like Nigeria, could be held together only by brute force. This remains the case even after the Cold War. The division of two colonial relics, Iraq and Afghanistan, into new states in which ethnic heterogeneity would be less likely to produce tyranny or anarchy is not even considered an option in Washington or other capitals.

What Wiebe calls the "reification" of post-colonial state borders is supported by most of the members of the United Nations (which really should be called the United Regimes) because it serves the interests of the military gangs, mafias, and royal families that inherited sovereignty from the European and Soviet empires. The barracks-bred kleptocracies of Africa are particularly committed to the permanence and inviolability of state borders.

Although the end of the Cold War reduced the global stakes of regional instability, it did not inspire American leaders to reconsider their reflexive opposition to the idea of redrawing borders to bring them more closely into line with the realities of cultural nationalism. On the contrary, successive American presidents opposed both the breakup of the Soviet Union and the secession of Croatia and Slovenia from Serb-dominated Yugoslavia. The first President Bush, in his infamous "Chicken Kiev" speech, warned the Ukrainians against pursuing separate statehood. (They wisely ignored his advice.) Rather than support the formal partition of Bosnia, the United States to this day endorses a multi-ethnic federal government that exists only on paper and would collapse if peacekeepers withdrew. President Taft, before World War I, invited Canada to join the United States; but today officials in every American administration denounce Quebec separatism, warning of the allegedly dire consequences of even a peaceful dissolution of the jerryrigged Canadian federation.

Wiebe concludes his rapid tour through the history of the nation-state by predicting that "nationalism, which still rolls off almost every western tongue as the most formidable enemy of peace and order, continues its decline, with no prospects of reversing the trend... [I]t has watched one variation after another of religious fundamentalism mobilize people who in another dispensation might well have been nationalists. In each late 20th-century rerun, it seems, the fundamentalist assassin again kills Gandhi."

This is a half-truth, at best. Wiebe's generalization

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applies best within the Arab Muslim world, "especially where," as he says, "shallow-rooted, kleptocratic states presided over impoverished Moslem populations." The appeal of Osama bin Laden's brand of Islam owes a great deal to the failure of the secular Pan-Arabism of Nasser. Elsewhere in the world, however, religion is not more powerful than nationalism. American Christian fundamentalists are right-wing patriots who want a Christian America, not a transnational Christendom, though they have sympathy for persecuted Christians elsewhere. Nor can the Iranian revolution or the rise in Hindu militancy in India be cited as evidence of a trend away from nationalism to theocracy. As Wiebe concedes, the unique Iranian version of Shia Islam is as interwoven with Persian culture as Hinduism is with the culture of the Indian majority. Bin Laden may dream of a global Muslim Umma, but Iranian and Indian religion have yet to prove themselves capable of being successfully exported, any more than Tibetan Buddhism.

The relationship between religion and nationalism is more complicated than Wiebe allows. Most nationalist movements, in Europe and around the world, from the 18th century until the present, have come in two versions: a secular version, which appeals to intellectuals, professionals, and officials, and a populist, religious version. For example, Greek nationalism for the last two centuries has been divided between the neo-Hellenism of the secular elite and the Orthodox, religious nationalism of much of the population. Often the attempts by elite secular nationalists to revive symbols or traditions from a pre-Christian or pre-Muslim past antagonize religious nationalists. The attempt, for instance, by William Butler Yeats and others to popularize the myths of the pagan Celtic past was rejected by the Irish Catholic majority, who prefer St. Patrick to Cuchulainn.

Flag-Waving Liberals

Instead of seeing a shift from nationalism to non-nationalist religion, then, we are witnessing, in much of the world (including the United States) the displacement of secular nationalism by religious nationalism. If religious nationalism is considered, as it should be, a form of nationalism, then Wiebe's obituary for nationalism may prove to be as premature as Hobsbawm's. Of course, nationalism in one form or another has fueled atrocious political regimes, not least of all the Third Reich. But nationalism also helped motivate the English and Russians to fight the Third Reich. If nationalism has a dark side, so do other human urges, from sex to private ownership of property. We've learned from painful experience how crazy it is to "oppose" these things. So too nationalism.

In fact, Wiebe argues that the problem is not nationalism per se but the appropriation of national sentiments by a militaristic state. His solution to the horrors perpetrated in nationalism's name is to downgrade the power of states and encourage a "diversity of loyalties." What exactly he had in mind is not clear. He seems to envision something like the small-scale communities of the earlier United States, which he described in *The Segmented Society* (1975). Indeed, he sounds like a 19th-century anarchist, of the more peaceful variety, in preferring the autonomy of small communities to the rule of a remote and coercive state: "The primary enemies of a healthy, adaptive society are not competing small groups, but the state itself."

While most of *Who We Are* is more relevant than ever after September 11, this passage seems dated. In America these days, even liberal anti-nationalists are flying flags on their front porches. Indeed, the problem with the American nation-state, it can be argued, is not that it is too strong but that it is too feeble. Our government admits that there are around eight million illegal aliens on its territory, but it is not sure who or where they are. Cells of al Qaeda terrorists, over a decade, managed to organize on American soil, transfer money, undergo flight training, and hijack commercial jet liners for suicide missions, without being stopped or even noticed by local, state, or federal law-enforcement officials—who, by the way, still have no idea who poisoned government and media offices by mailing letters filled with anthrax. As if this were not bad enough, the government has recently admitted that Soviet agents during the Cold War accumulated small arsenals on American soil; at one point, they even had nuclear "suitcase" bombs. It is not the power of the American state which should frighten its citizens, but its weakness and incompetence in controlling crime and entry to its territory.

But one need not agree with Wiebe's predictions about the future or his suspicion of the large-scale nation-state in order to profit from his erudite and insightful book. "My hope is not that you will come to like nationalism—I am not its advocate—but that you will come to see it as so thoroughly human that no simple judgment does it justice," Wiebe writes. In an era when the conventional wisdom about world politics is shaped by superficial tracts like Benjamin Barber's *Jihad vs. McWorld* and Thomas Friedman's *The Lexus and the Olive Tree*, Wiebe's *Who We Are* is a stimulating and valuable corrective. Let us hope that the makers of public policy, as well as the shapers of public opinion, read it and absorb its timely lessons.

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After the World Trade Center

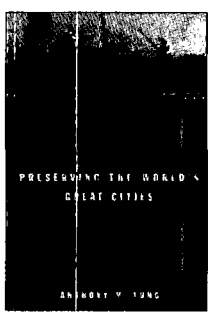
Can America build anything beautiful anymore?

BY ALAN GREENBLATT

ONE OF THE BIGGEST QUESTIONS IN the current war is what to do about rebuilding lower Manhattan. The families of firefighters and brokers and maintenance crews and back-office workers won't be comforted much by the thought of their loved ones' final resting place being the aptly but unfortunately named landfill Fresh Kills, where the World Trade Center debris is being buried. They will desire, along with the city and the nation, a formal memorial. But New York City is not Oklahoma City; the site of the wasted buildings will not lie fallow forever.

History is filled with examples of cities rebuilding themselves following the devastation of war. After World War II, Viennese buildings that had been damaged or destroyed were rebuilt with plain stucco fronts, stark reminders that sit next to richly decorated neighbors. During the war, 80 percent of the buildings in Warsaw were destroyed and 60 percent of the city's prewar population killed. The Nazis had hoped to break Poland's will by deliberately destroying its cultural landmarks. The architecture faculty of Warsaw Technical University, knowing that war must inevitably end, risked their lives and those of their students to record the designs and interplay of the city's historic structures, hiding their plans at an out-of-town monastery. Warsaw's brick-by-brick postwar reconstruction occupied one out of every six workers in the city and spawned a rebirth of handcraftsmanship.

But things aren't always rebuilt. In Berlin, the headquarters of the Gestapo, SS, and Reich Security Main Office all shared a city block targeted, naturally, for destruction by the Allies. The land was home to a portion of the Berlin Wall during the Cold War. Following reunification, the city decided to leave the vacant lot and scattered ruins of the security buildings as a memorial called "Topography of Terror," signaling that the land was too polluted for civilized use.



PRESERVING THE WORLD'S GREAT CITIES:
The Destruction and Renewal of the Historic Metropolis
by Anthony M. Tung
Clarkson Potter, $40.00

These examples are drawn from *Preserving the World's Great Cities*, in which former New York City landmarks commissioner Anthony M. Tung demonstrates time and again that contemporary ideas about what the past might mean go a long way toward determining what is done with historic structures and their environment. Where there is a communal sense of pride in the past, as in London or Amsterdam, much of the older city has been maintained against the demands of vastly increased urban populations, cars, and modern interior wiring. Where there have been sharp ideological breaks with the past, as in communist Moscow and Beijing, and in Rome in times of both fascist and papal rule, older buildings were torn down to form the building blocks of cities that went in for big makeovers. It depends on whether the past is something you want to claim or want to destroy. What to put on the site of the World Trade Center, then, depends on whether what it represented—a triumph of American-style capitalism in the world—is something we want to reclaim.

Tung's book was designed to demonstrate why civic preservation efforts are essential, where they have worked, and how much of our urban heritage that had survived centuries of war and natural devastation was lost during the 20th century to poor planning. It is very much in keeping with the current historical trend of examining the course of empires through their effects on small groups,

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even though Tung focuses on cities and buildings rather than on individuals. The book is an impressive distillation of centuries of architectural, political, and economic history in the major capitals of four continents. It will be useful not only to planners and advocates, but to engaged and curious travelers as well. (Tung visited all of the nearly two dozen cities he writes about.)

Tung writes in a direct style and demonstrates, by setting each of his chapters in a particular place, the virtues of specificity. He gives a sense of how great cities are shaped both by economic fortunes and their place in the world. Any visitor to Venice gets a quick sense of the blending of medieval and Renaissance Italian styles with influences imported from the Byzantine and Muslim domains over which the city-state once held sway. In an epoch when fenestration was still rare, glass windows were prevalent in Venice because of the sodium carbonate and sand that was abundant in the neighboring lagoon and riverbeds. Openings for light and air reduced the amount of masonry required in Venetian exteriors—a boon where foundations were expensively constructed by pounding wooden piles into clay islets. And thick walls were not as necessary to Venice as to other European cities because the tricky channels of the lagoon made the capital of the "Serene Republic" defensible by sea.

What to put on the site of the World Trade Center depends on whether what it represented—a triumph of American-style capitalism in the world—is something we want to reclaim.

As much as anything else, Tung's book is an elegy to the old notions that the unique circumstances of place determine the shape of a city. His prime example of a historic city that fell victim to modern Internationalist architecture is Singapore, a trading metropolis once rich in overlapping Chinese, Malay, Indian, and European Baroque influences in homes and shops that all had French jalousie shutters to help them breathe. Visitors to the handsomely appointed Embassy of Singapore in Washington are handed a magazine article trumpeting the homeland as having the most global economy in the world. Singapore, despite its repressive government, has been a great success story in recent decades, enjoying one of the world's highest standards of living. The island is free of the illegal and unsanitary settlements that plague many other former colonial capitals. But its great building boom represented a nearly complete refutation of the past, with boxy office towers shooting up along the Singapore River that might just as easily have been built in Frankfurt or Seattle. It was only when Singapore officials noted that tourism was hurting—why travel halfway around the world to see the same shopping malls available at home?—that more than a handful of buildings were protected and preserved.

"Most of the new architecture in Singapore primarily reflects the economic formulas of modern speculative development," rather than the dictates of local cultural or climactic influences, writes Tung, "just as American fast-food chains offer identical dishes, with the same names, in the same wrappers, by waiters in matching uniforms." Modern insulation in steel and glass buildings, coupled with climate control in both summer and winter, has made it possible to put up basically the same building in places as different as Stockholm and Cairo.

Heating and air conditioning have conspired to make buildings look monotonous in another way, too. Tung notes that as the costs of equipping interiors with controlled temperatures, electricity, and communications wiring grew more expensive, the amount of money developers were willing to spend on exterior decoration and design dropped accordingly. These effects coincided with the modernist aesthetic borne of factory-made materials and best expressed by Viennese architect Adolf Loos: "Ornament is crime."

All of these are reasons why, even though Tung's book moves us more or less to the present day, he has no new great cities to write about. The 20th century saw a quantum leap in metropolitan growth, but it was not a time for building new cities. In America, population growth in recent decades has taken place largely in the suburbs that surround cities. Today, those same suburbs are losing ground to the new outer-ring suburbs that surround them.

Hamilton County, Indiana, which touches on the beltway around Indianapolis, is one of the fastest-growing counties in the country, having grown by 85 percent over the past decade. It has become such a rich source of Republican votes that state Sen. Luke Kenley, a lifelong resident, thinks it provides him a strong base for the gubernatorial bid he'll seek in 2004. Asked to describe

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the area, a former farming community grown suddenly heavy in large middle-class houses, shops, and professional-service offices, Kenley says, "If you flew across the country and looked at developments, you would find it to be a typical sort of upper-scale suburban community." It's a strange sort of civic pride that boasts of sameness.

Indianapolis has lost less population and economic activity to its suburbs than most cities because of a strong regional government structure. But consider Buffalo. Forty years ago, its residents outnumbered those in the surrounding county by two to one; today, that ratio is exactly reversed. Admittedly, Buffalo is not such a splendid city to rate inclusion in Tung's book, but it can boast from the turn of the last century buildings designed by namebrand architects including Stanford White, Frank Lloyd Wright, and E.B. Green. Louis Sullivan's terra cotta Guaranty Building will be familiar to anyone who has ever sat through an art history class, but its retail storefronts sit vacant and its lobby is now dark and still enough to serve as a set for an old horror movie. The building sits at the edge of a downtown so lifeless that even the McDonald's was torn down.

Arising to the east is a flourishing suburban town called Amherst. Home to a state university campus and located next door to the airport, Amherst consistently ranks among the nation's safest cities and has become the main economic engine of Erie County. During the 1990s, the number of jobs there increased by 109 percent, while rising by only five percent in western New York as a whole. Amherst now has a greater assessed real-estate value than Buffalo—but it has no buildings with the sort of aesthetic value with which Buffalo decorated itself during the boom years a century ago. Amherst thrives by packaging the well-educated Erie County workforce with tax incentives and large-footprint buildings of the exact kind that small service companies could find in suburban Rochester or Cleveland.

The same sameness is the dominant aesthetic in home building. Suburban housing developments are always named for what they destroy—Rolling Hills, Forest Lakes—but they all end up striving to look identical to the ones across the highway. The desire for big new houses is easily mocked but not necessarily bad. The forces of modern transportation, office work, and housing that have ripped many cities apart have also helped millions of people to live much better lives. Tung is quick to acknowledge the appalling lack of sewage removal and sanitary water that made life nasty, brutish, and short for the urban poor in Europe in the 19th century, and which continues to afflict a good portion of the rest of the planet today.

Suburban housing developments are always named for what they destroy—Rolling Hills, Forest Lakes—but they all end up striving to look identical to the ones across the highway.

Neither does Tung ignore the negative social conditions that created great edifices, from the slave labor in this country that built and maintained antebellum mansions to the class barriers embodied in the very name of Beijing's Forbidden City. One estimate he does not cite is that Versailles cost France one-third of a year's gross domestic product to build. Surely it is better for overpriced and badly arranged Rolling Hills Estates homes to provide shelter and investment opportunity for thousands of individual homeowners than for a nation to build a royal palace.

Still, it is worth noting, at least now that the Clinton boom is over, that we don't seem to have a lot to show for it, other than consumer debt. America may not have built a Versailles, but we didn't build practical things, either. We spent our money on abstractions, building up the Internet and financial systems but not adequate roads or airports. Expansion plans at a dozen airports went on hold after September 11, while interest in high-speed light rail suddenly has become fashionable, with a $71 billion plan floating in Congress. On an even more mundane but important level, the National League of Cities is fond of publicizing the scare statistic that over the next 20 years, it will cost municipalities $2 trillion to provide water that meets EPA standards.

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The Sucker's Versailles

With no Versailles to show off, what will America have to show the tourists of the future, the Chinese or the Burkina Fasovars or whoever are the regnant power of the 24th century and wish to see the glories of the great American empire? For the present, instead of Versailles, we now have a fake city of Paris, complete with a half-size Eiffel Tower, in Las Vegas.

Las Vegas is, of course, one of the great boomtowns of the 20th century. The city didn't even exist in 1900 and only 30 people then lived in its entire valley. In the 55 years since Bugsy Siegel had his vision in the desert, Vegas has grown to 480,000, with 220,000 of the residents moving in during the 1990s alone. But that decade represented a major challenge to Vegas, with casinos proliferating from Tunica, Mississippi, to Duluth, Minnesota. How to bring in the suckers?

Vegas reimagined itself as a theme park—the depository of the great architecture that Tung celebrates and mourns in his book. Hotels boasting tropical themes, mini-versions of Venetian canals, and the largest pyramid outside of Egypt have all popped up along Las Vegas Boulevard within the last few years. The homage to Lake Como outside the Bellagio may be relatively puny but it boasts something the original one doesn't: a dancing water shows that performto the tunes of "Hey, Big Spender" and, with wonderful cheap irony, "Simple Gifts." Vegas solved the Singapore problem by reversing it. Now you can pretend you're traveling halfway around the world, from the pyramids to Paris, just by crossing the street—or taking advantage of the free valet parking—and still see the same shopping malls you'd see at home. Vegas beat its imitators by imitating the best.

That, of course, includes the New York skyline. (The Vegas version has a roller coaster.) Which brings us back to the question of how to rebuild the real New York. The World Trade Center was one of the ultimate expressions of modern monoculture architecture—a model for buildings that sprang up everywhere from Singapore to Kuala Lumpur. Terrorists attacked it precisely because it was a totem of the global "McWorld" culture they despised.

But rebuilding the towers or some semblence of them would not merely be an act of defiance against terrorists. It would be an endorsement of the only brand of urban culture we have in this country. The energy of New York, as Tung writes, has come from building ever taller, ever more populous buildings: "It is the speculative developer's dream; a place of conspicuous consumption and enormous wealth [that] will sustain buildings of almost any height imaginable."

Skyscrapers cost New York some cozy neighborhoods, but the World Trade Center had harmonized with the original New York skyline by the time the planes struck. Lower Manhattan evolved around it, with the development of Battery Park City and an increase in the size of roofscapes in the neighborhood. It is because of skyscrapers that Manhattan is our one great pedestrian and public transportation urban environment—a thriving rejoinder throughout the recent boom years to all those businesses that chose to locate in big-footed, sprawling office parks on the exurban edge.

By their destruction, the WTC towers became a more powerful symbol than they had ever before been of the vitality of trade and freedom in the country. Rebuilding them is crucial not just to the financial well-being of the city, but to preserve the essence of the city itself. In an interview, Tung recalled a New York firefighter who entered the blaze on September 11 telling him, "Even though I know how dangerous those buildings are to us, I want to see those buildings back." ●

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Clowns in Gowns

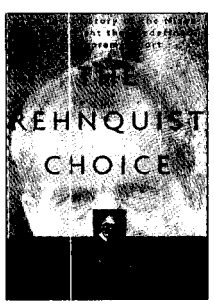
How Nixon's Rehnquist nomination screwed up the way we pick judges

BY DAVID GREENBERG

LAST DECEMBER, THE SUPREME COURT handed down one of its most momentous rulings of all time, and one of its all-time worst. *Bush v. Gore*, as we know, cut short a recount of Florida's disputed ballots, thereby anointing George W. Bush the new chief executive. Constitutional experts, including conservative scholars, concede that the majority's purpose seems to have been to install in the White House someone whose politics matched their own and who would buttress their numbers on the Court. Instead of checks and balances, this was logrolling.

As a result, Bush's Supreme Court appointments will be made under a microscope. No justice has yet retired, but both sides are already plotting strategy. Bush and the Republicans want to appoint conservatives to the court, while Democrats hope to force them into going with a moderate like David Souter. The problem, however, is that for some time now both parties have boxed themselves into a corner by publicly pretending that a nominee's politics shouldn't matter.

Privately, of course, they know better. And so presidents devise elaborate ruses for slipping appointments through the nomination process—like playing the race card, for example. Bush, some speculate, may nominate White House Counsel Alberto R. Gonzales, banking that Democrats won't want to oppose an Hispanic. Meanwhile, senators, seeking to avoid explicitly ideological battles, prefer to seize on trivial personal foibles or other nonpolitical matters to shoot down candidates they dislike. Democrats are already scouring the records of the better-known right-wing judges, looking for indefensible behavior.



THE REHNQUIST CHOICE: The Untold Story of the Nixon Appointment That Redefined The Supreme Court
by John W. Dean
Free Press, $26.00

The nomination ritual as it is practiced today was set in motion by Richard Nixon's appointment of Chief Justice William Rehnquist—one of the Bush Five—which is the subject of John Dean's new book. In any context, Dean's book could claim to be the most detailed behind-the-scenes account ever written of a high court nomination. After *Bush v. Gore*, however, it serves even more significantly as a window into the contemporary nomination process and a study of the hardball judicial politics Rehnquist and his mentors have mastered.

Dean correctly judges Rehnquist's appointment to be "among the most significant [acts] of [Nixon's] presidency." The choice, Dean notes, "redefined the Supreme Court, making it a conservative bastion within our system of government." This is a slight overstatement; Rehnquist did not reshape the Court singlehandedly. He was, however, the first of three stalwart right-wingers who, along with two additional Republicans, managed to overthrow the judicial liberalism of the pre-Nixon Warren Court.

Moving the Court rightward was one of Nixon's proudest achievements. "Whatever happens in the [1972] elections, we will have changed the Court," he boasted to his aide H.R. Haldeman in September 1971. "I will have named four [Justices]." Nixon's three other picks turned out to be less conservative than he'd hoped: Harry Blackmun legalized abortion in *Roe v. Wade*; Lewis Powell saved affirmative action in *Bakke*;

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even Chief Justice Warren Burger, though undeniably conservative, authored the Court's 8-0 opinion in *United States v. Nixon* that forced Nixon to cough up the Watergate tapes that cinched his resignation. Rehnquist, the lone justice to abstain from that opinion, was also alone among Nixon's four appointees in carrying Nixonism into the 21st Century—which he did in more ways than one.

Send in the "Clown"

The Rehnquist Choice is impressive for many reasons: its lucid prose, its subtle humor, its relentlessly logical argumentation. Historians will admire Dean's original use of source material, particularly the tapes of Nixon's White House conversations, from the National Archives. Normally the claim that a book offers "revelations" reeks of publishers' hype. In recent Nixon books, information billed as "new" has actually come straight from such other published sources as *The Haldeman Diaries* or Stanley Kutler's Watergate-tape transcriptions, *Abuse of Power*. In the rare event that the information is new, it's frequently tangential to the story. Typically, the writer has come upon some tasty morsel—an anti-Semitic remark, or a barb directed at someone famous—and dropped it into his narrative to add shock value to an otherwise familiar account.

Dean, in contrast, uses his new material as a scholar should: not as garnish but as the meat of the book. What is new here is the totality of his account. *The Rehnquist Choice* is the first history of this seminal appointment, reconstructed (thanks largely to the tapes) in minute detail. Conversations appear in toto, reproduced not as artifacts to gawk over but as key episodes in a crucial story. Watergate books aside, Dean's work makes the most profitable and original use of the Nixon tapes to date.

The author is, of course, the same John Dean who served as a Justice Department official and later as White House counsel during the Nixon administration and who resigned in April 1973 for abetting the Watergate cover-up. As such, his book includes not only archival research but also recollections of his own involvement (usually supported by notes, official memoranda, and telephone logs). And although Dean remains harshly judgmental of the man who once tried to make him Watergate's fall guy, bitterness tinges the story only occasionally. The book does not read like a settling of scores.

Besides telling a riveting story, Dean makes an important contribution to Supreme Court scholarship. Though he could have said so more explicitly, his book limns the emergence in the early 1970s of a brand new dynamic in the politics of Court appointments. One has to recall that for most of the 20th century presidents faced little Senate opposition when picking justices. Whereas in the nation's first hundred years senators and presidents brawled often over nominees, the post-1900 expansion of the presidency relegated the Senate to a deferential role. From 1895 to 1968, only one high-court nominee—Herbert Hoover's candidate John J. Parker—failed to gain Senate approval.

That changed in 1968. When Lyndon Johnson tried to elevate his close friend Abe Fortas from Associate Justice to Chief Justice, Republicans and Southern Democrats filibustered to block the move. Contrary to popular conception, Fortas's discomfiture had little to do his questionable financial dealings; the fact that he received a $20,000 retainer from the convicted financier Louis Wolfson didn't surface until the following spring. Rather, in the summer of 1968 Senate conservatives, led by Strom Thurmond, beat back Fortas's promotion because they didn't like how he voted as a member of the Warren Court's liberal majority. By doing so, they ensured that Johnson's successor—who seemed likely to be Nixon—would pick the next chief justice.

Dean reveals that Nixon, not content with this single Court opening, created a second vacancy by helping to arrange for Fortas's ouster. The White House, Dean argues persuasively, was behind the 1969 disclosure of the Wolfson retainer to *Life* magazine. According to Dean's summary of research conducted by the journalist Robert Shogan in 1971, Attorney General John Mitchell had Rehnquist, then an assistant attorney general, draft a memo casting Fortas's behavior in the most negative light possible. Although he had to resort to some intellectual gymnastics to do so, Rehnquist charged that Fortas had violated a little-known 1790 bribery law—an argument Mitchell deployed in strong-arming Fortas into resignation.

After these two hardball plays, Democrats struck back. Although they didn't contest Nixon's first nomination, that of Warren Burger as chief justice, they blocked his first two choices for the Fortas seat: Clement Haynsworth, ostensibly on the basis of his own ethical shortcomings and segregationist background, and G. Harrold Carswell, who was considered a glaring mediocrity with a segregationist record much worse than Haynsworth's. Irate, Nixon backed off his vow to appoint a Southerner and selected Minnesota's Harry Blackmun, a boyhood friend of Burger's, who sailed to confirmation.

Thus when Nixon suddenly found himself in September 1971 with two more openings—his third and

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fourth—he had a narrow needle's eye to thread. Dean's account of what follows serves to refute those who claim Nixon was a liberal on racial issues. The president, after all, told his aides repeatedly that he would appoint only judges who held conservative views on busing and crime. Yet, burned by the Haynsworth-Carswell debacle, Nixon also knew that Democrats would knock down any nominee who didn't pass muster with the American Bar Association, the lawyers' group that since 1954 had issued evaluations of each high court nominee's qualifications. So began the five-week roller coaster ride.

To lay out that wild trip in detail would ruin a terrific page-turner. Yet some points merit discussion. We learn, for instance, that Rehnquist was not Nixon's first choice for the job but his seventh or perhaps eighth, depending on how seriously you take Nixon's consideration of Senator Robert Byrd (whom Nixon liked because he seemed likely to win approval from fellow Senate Democrats yet also to vote with the Court's conservatives on racial issues). Rehnquist was chosen at the last minute, after others had crashed and burned. One of his most ardent promoters was John Dean.

As in his 1976 memoir *Blind Ambition*, Dean is self-critical here—not so noisily as in the anguished earlier volume, yet still candidly. For example, when it finally became clear that Nixon might name Rehnquist, Dean realized with regret that "I had been screwing around" in championing him as a candidate, "playing the long shot merely for the adventure—a piece of history." Belatedly, Dean feared that on the bench Rehnquist would be an "extreme, unyielding" ideologue. Still, he muzzled these concerns, figuring he was too young and inexperienced for such judgments.

More interesting than Dean's oscillations are Nixon's. The copious record of Nixon's conversations with Haldeman, Mitchell, and others reveals just how relentlessly political the president was in making his selection. The same qualities that historians have noted in Nixon's diplomacy are visible here: the ability to play one constituency against another; the keen desire to stun the press with a surprise announcement; the misguided elevation of petty goals, such as frustrating the Democrats.

Among a team of highly savvy operatives, Nixon emerges as the most media-conscious and strategy-minded of all. On the verge of announcing California Judge Mildred Lillie and Arkansas attorney Herschel Friday as his choices, he gives John Ehrlichman a P.R. lesson: "I would like to know how many years Friday has practiced. Then what I can say is that he has had more years of active practice than any present member of the Court." Lillie, he could say, had "more service as a trial court judge in unlimited jurisdiction than all the other judges presently on the Court combined ... See, now don't you think that sells?" Likewise, as Haldeman reviews the endgame for announcing the final choices of Rehnquist and Lewis Powell, Nixon interrupts with spontaneous yet precise and astute instructions on how to prime the press beforehand.

These conversations are studded with dozens of remarks—sometimes outrageous, sometimes just funny—that reveal Nixon's disturbing propensity to think about, and often to denigrate, people in terms of their sex, race, ethnicity, or religion. Women, blacks, Italians, Catholics, and Jews all come in for dismissive if not hostile treatment. Burger, the man Nixon expects to save the Court, is "a dumb Swede"; both Nixon and Barry Goldwater, Rehnquist's first political mentor, mangle their protégé's name, calling him "Renchburg"(Nixon) and "Rensler" (Goldwater).

But Dean does not reprint Nixon's slurs as cheap shots. He embeds them in the context of important conversations to show how extensively the man dwelled on such concerns as race and religion. Nixon is heard voicing hope that Mildred Lillie will turn out to have "a little Italian blood"; howling, upon the mention of University of Chicago President Edward Levi, that he wasn't going to submit "a Jew's name"; and joking that William French Smith, yet another possible nominee, should convert to Catholicism. (After Mitchell promised to "get him baptized this afternoon," Nixon replied: "Well, baptized and castrated, no, they don't do that, I mean they circumcise—no, that's the Jews. Well anyway, however he is, get him changed.") Recently, some historians have asserted that the Oval Office tapes contain only random snippets and therefore cannot be used to piece together the nitty-gritty of presidential decision-making. To such claims, Dean delivers a knockout rejoinder.

Nixon's pettiness and bigotry are, of course, unattractive qualities. But one also has to admire his political skill. He was the first president to grasp that he could slip a conservative nominee past the liberal Senate only if he (or she) came with some sort of talisman of immunity that would make any nay vote look politically unwise. That magic charm might be the candidate's ethnicity or gender, as Nixon saw when he envisioned gaining feminist support for his choice of the conservative Lillie. Or it might be unassailable legal expertise, such as his consideration of Yale Law Professor Alexander Bickel, who, unlike the ill-fated Harrold Carswell, could never be rebuffed as a mediocrity.

Ironically, then, in trying to checkmate the Democ-

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rats, Nixon ended up putting more weight, not less, on the ABA evaluations of his nominees that conservatives later grew to deplore (and that George W. Bush discontinued last spring). Nixon knew that conservatives had set a dangerous precedent in filibustering Abe Fortas's promotion in 1968; and after Haynsworth and Carswell, he feared the Democrats might retaliate in kind. "They'll always seize on what you've got as mediocrity and so forth and so on," he fumed to Mitchell. Getting ABA approval for his choices offered a way to counter such arguments. It was doubly ironic, then, when the ABA rejected Mildred Lillie as not qualified, depriving Nixon of the chance to name the first female Justice. Her scotched nomination cleared the way for Rehnquist, the dark horse, even though Nixon had recently adjudged his assistant attorney general to be a "clown." Rehnquist, alas, had gone to see the president wearing a pink shirt, psychedelic tie, Hush Puppies, and bushy mutton-chop sideburns.

Nixon was the first to grasp that he could slip a conservative nominee past the Senate only if that person came with a talisman, like race or gender, that made any nay vote politically unwise.

No Holds Barred

Pulling back to examine the big picture of Supreme Court nomination battles over the last three decades, two clear and important trends emerge. First, the fetishization of legal expertise, to which Nixon contributed, has limited the Court. It has made Presidents leery of picking dynamic, larger-than-life figures with real-world backgrounds—people like John Marshall, Hugo Black, or Earl Warren—who in the past brought a sense of grandeur and purpose to the Court.

More important, though, has been the flip side of this fetishization: the new fiction that only "qualifications," and not ideology, count in the selection and confirmation of Justices. Historically, this is manifestly false; ever since the Senate rejected a nominee of George Washington's on political grounds in 1795, ideology has mattered. But since the Nixon years, the prevailing political culture has largely bought into this myth. Presidents have endeavored to muffle their nominees' opinions by stressing their race, gender, record of legal achievement, or other ostensibly nonpartisan qualities. And senators who might be disposed to reject a nominee on ideological grounds have to latch onto proxy issues—ethical lapses, sexual peccadilloes, the supposed lack of a distinguished resume—to mount an opposition that won't be seen in the press as purely partisan.

It's no surprise that Nixon turned out to be, at least by 1971, an expert player at this game. He succeed for two reasons in particular: his acute sensitivity to the ways that race, sex, ethnicity, and other factors could be played to the media and in the political arena and his equally significant and not unrelated willingness to disregard the normal restraints on exercising power that obtain in a liberal democracy. Nixon ran roughshod over sacred rules. Although Watergate is barely mentioned in *The Rehnquist Choice*, it's hard to read the book without recalling the cunning, remorseless approach to politics that was Nixon's trademark. Indeed, Dean deftly tucks a few omens of Watergate into the narrative, as when John Ehrlichman orders two investigators to see what dirt may be found on one nominee. The investigators were Jack Caulfield and Anthony Ulasewicz, names familiar to anyone versed in Watergate criminology.

During Rehnquist's confirmation hearing, Nixon told him to "be as mean and rough as they said you were." Rehnquist obliged, as he felt he must, for Senate Democrats had discovered some damning incidents from his past: Back when he worked for Goldwater, he had helped intimidate blacks and Hispanics from voting; before that, while clerking for the Supreme Court, he had written a memorandum arguing for the constitutionality of *Plessy v. Ferguson*, which had legalized segregation. Rehnquist denied both charges under oath in 1971 and again in 1986 when he was confirmed as chief justice. But Dean, reconstructing the evidence, demonstrates that Rehnquist lied. (Anyone who doubts Rehnquist's mendacity should read Dean's powerful afterword.) Rehnquist, like Nixon, would do anything to win.

More even than his conservatism on busing, crime, and social issues, the win-at-all-costs ethic was Nixon's lasting legacy to American politics. Last December, the Supreme Court, led by William Rehnquist, once more made this abundantly clear. ●

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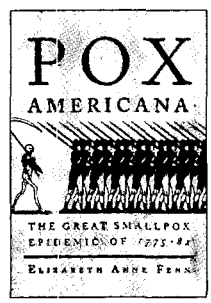
George Washington's Bioterrorism Strategy

How we handled it last time.

BY GARANCE FRANKE-RUTA

IN 1995, I WAS OFFERED AN OPPORTUNITY to be vaccinated against smallpox. I was interning in a virology laboratory, and the scientists working in the hood two feet from where I spent my days culturing cells—the biological equivalent of making photocopies—worked with live vaccinia (cowpox) virus, a close relative of smallpox, and human immunodeficiency virus (HIV). Sometimes they would mix the live vaccinia with HIV proteins and vaccinate lab rats with the combination and study their immune responses. The possibility of human infection was remote, but high enough that the lab offered permanent workers vaccination or re-vaccination against vaccinia as a precaution. At the time, the fact that this also rendered them immune to smallpox was irrelevant. The last known case had occurred in 1978, and in 1980, public health officials had declared the disease officially eradicated worldwide.

I soon learned the vaccination would not be a simple procedure. It would most likely lead to a fever, flu-like symptoms, and an oozing sore on my arm that could take four weeks to heal. More importantly, because it involved being infected with a small dose of a living organism—the procedure for so-called "live-virus" vaccines—I would become infectious. If I wasn't careful, I could transmit cowpox to any pregnant women or immune-suppressed people I shook hands with or hugged hello. Wearing a bandage on my arm for four weeks would reduce that risk, but not eliminate it.



POX AMERICANA:
The Great Smallpox Epidemic of 1775-82
by Elizabeth A. Fenn
Hill and Wang, $25.00

I declined the offer. It seemed messy, complicated, and largely pointless. By the time my sore had healed, I would no longer even be working in the lab. Besides, I didn't want to inadvertently give anyone a case of cowpox.

By page 17 of Elizabeth Fenn's book on the great smallpox epidemic of 1775, I began to regret my decision. By page 74, with anthrax attacks on the rise, I sent out a panicky e-mail to my old boss to see if his lab still had any vaccine available. (They didn't.) And by the time I finished *Pox Americana*, rattled Homeland Security Chief Tom Ridge had ordered 300 million new doses of smallpox vaccine to protect the nation, which had abandoned universal inoculation in 1972. Since early October, four Americans have died of inhalation anthrax, more than 20 sites across my city have been contaminated, and my doorman—who spends afternoons sorting bulk mail from D.C.'s Brentwood facility for 271 apartments—spent ten miserable days dizzy and sick from taking Cipro. A bioterrorist attack with smallpox—vials of which U.S. intelligence believes may be in the hands of various rogue nations—no longer seemed so farfetched.

The same reluctance that I once felt, and many still feel, about getting vaccinated, is now a hot topic of debate in Congress and (one hopes) inside the White House. Overcoming that reluctance and producing enough vaccine to protect the nation may be one of the keys to winning the war on terrorism, and saving countless lives. If so, it won't be the first time smallpox, and government's

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response to it, shapes the course of the nation. As Fenn's extraordinary book points out, during the War of Independence, more men died of smallpox than musket fire. The British may even have used the virus as a weapon. And George Washington's secret decision to inoculate his troops was crucial to winning the war.

Fenn's book opens in 1751, with a 19-year-old Washington contracting smallpox while visiting his brother in Barbados. In his diary, he records the event on Nov. 17, "Was strongly attacked with the small Pox." Not until Dec. 12 did he make another entry. "Rare was the diarist who kept writing through the throes of smallpox," notes Fenn. "The void in Washington's diary ... speaks of a misery commonplace in years gone by but unfamiliar to the world today."

Victims of smallpox showed no symptoms until 12 days after infection, at which point they began to suffer from "pre-eruptive symptoms": severe headaches, excruciating backaches, fever, nausea, and malaise. Soon the telltale pustules (pus-filled blisters) began to form, first inside the mouth and nose, then on the face, neck, back, forearms, and feet. Patients were often wracked with severe anxiety, a symptom that did not bode well. Some—particularly Native Americans—died during this stage, without ever developing pustules. Others developed confluent smallpox, a condition with a 60 percent mortality rate in which the pustules ran into each other and sloughed off in great rotten sheets of skin. Hemorrhagic smallpox, a rarer form involved massive internal bleeding and was almost uniformly fatal. Even without these complications, smallpox often killed around one-third of its victims. Mortality was higher among infants, the elderly, the poorly nourished, or those, like the 18th-century Native Americans, who lived in genetically homogenous communities. Good nursing care during the month-long affliction markedly improved survival, but required the existence of already immune caretakers.

From the very beginning, attempts to prevent the spread of smallpox in North America were controversial. Puritan minister Cotton Mather's house was firebombed in 1721 after he convinced Dr. Zabdiel Boylston to inoculate the uninfected during a smallpox outbreak in Boston. Often credited with introducing inoculation to America, Mather learned the procedure from his "Coromantee" slave, Onesimus. Inoculation had been widespread in Asia and Africa, but was largely unknown among Europeans until the early 18th century. New Englanders developed a particular hatred of the procedure and banned it in most towns. (Edward Jenner's cowpox vaccine, the precursor of today's, was not invented until 1796.)

Inoculation—a primitive and risky form of live-virus vaccination that involved intentionally giving individuals a mild case of smallpox to prevent them from acquiring a more deadly form "the natural way"—was a double-edged sword. Inoculees gained immunity but also became temporarily infectious and could easily spark outbreaks unless quarantined for the duration of their induced illness. Far too often, the early Americans were loath to allow such infringements on their "liberty," writes Fenn, and the infectious inoculees—including such historical notables as Abigail Adams—would circulate freely, leaving a trail of disease in their wake. Inoculation was also a class issue. The procedure was expensive, and during their infectious period, the rich often transmitted their affliction to the uninoculated poor, who couldn't afford the procedure.

When the War of Independence broke out in 1775, the Continental Army at first dug in its heels and forbade inoculation for fear of spreading the disease and incapacitating the fighting forces. "The Surgeons of the Army are forbid, under the severest penalty, to inoculate any person," according to General Benedict Arnold's February 1776 orders. Officers found submitting to inoculation would be "immediately cashiered" and privates "punished at the discretion of a Court-Martial." Yet troops were so desperate to avoid the scourge that they'd inoculate themselves in secret with pinpricks under their nails.

In Europe and England, smallpox was endemic, and people usually caught it during their youths, when they were most likely to survive the infection. (Those infected between ages five and 14 have the lowest mortality rate.) With the bulk of its army thus rendered naturally immune, the British did not need to worry about either seizing smallpox-infested towns or inoculating the small percentage of its forces not infected as children.

The Americans soon learned they could scarcely battle two enemies at once—smallpox and the British. The disastrous experience of the siege of Quebec in 1775, when smallpox ravaged up to one-third of the assembled Americans, began to change the Americans' minds about inoculation. Captain Lemuel Roberts concisely captured the problem during the retreat from Quebec by boat: "My pock had become so sore and troublesome that my clothes stuck fast to my body, especially my feet; and it became a severe trial of my fortitude, to bear my disorder and assist in managing the boat."

Wave after wave of smallpox decimated the soldiers during the first two years of the war. New recruits would come down with the disease immediately upon enlistment, and thousands of potential fighters stayed away for fear of infection. By the winter of 1777 (the winter of Val-

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ley Forge), Gen. George Washington made a momentous decision to inoculate all new recruits and finally halt the pestilence's progress. The inoculation campaign had to be conducted with great secrecy. Though it would protect soldiers in the long run and decrease fear of enlistment, it would also incapacitate large numbers for weeks at a time, rendering the Continentals vulnerable to assault. Ultimately, however, it became clear that the spread of smallpox through the ranks presented a graver threat to the army—and would kill more individuals—than the Redcoats. Recruits were quarantined in camps and inoculated before being sent out to fight.

"Washington's unheralded and little-recognized resolution to inoculate the Continental forces must surely rank with the most important decisions of the war," writes Fenn. "The general had outflanked his enemy".

After the inoculations were complete, the Continentals were able to fight at full strength without fear of the epidemic. This was critically important in the Southern campaign in the final years of the war. Irregular militias refused to march on Charleston, South Carolina, to retake the town because smallpox was loose there. But an inoculated army of soldiers paid to fight was able to engage in battles that had scared off the militias—and to withstand the British attempts at biological warfare that preceded the surrender at Yorktown.

One of the saddest episodes of the war involved Virginia's Ethiopian regiment, comprised entirely of Loyalist blacks and escaped slaves promised freedom for fighting with the British. "Within these days past, I have marched by 18 or 20 Negroes that lay dead by the way-side, putrifying with the small pox," wrote a Connecticut soldier pursuing the British eastward from Richmond in the summer of 1781. "These poor creatures, having no care taken of them, many crawl'd into the bushes about & died, where they lie infecting the air around with an intolerable stench & great danger." The Americans believed this abandonment was a deliberate attempt to infect the Continentals. "The British have sent from Yorktown a large number of Negroes, sick with the small pox," wrote one eyewitness. "Lord Cornwallis's attempt to spread the smallpox among the inhabitants in the vicinity of York, has been reduced to a certainty and must render him contemptible in the eyes of every civilized nation," opined the *Pennsylvania Gazette*.

Thomas Jefferson later estimated that of 30,000 Virginia slaves who joined the British in search of liberty, "about 27,000 died of the small pox and camp fever."

The scourge did not end with the war. Nor was it restricted to the former British colonies along the Eastern seaboard. It struck 44,286 in Mexico City in 1779. It rewrote the balance of power for the Plains Indians, decimating the village-dwelling Arikaras and Mandans and allowing the nomadic Sioux to seize control of the prairie. In the Pacific Northwest, it attacked villages so strongly that when English captain George Vancouver led an expedition in 1792 to the area, he found village upon deserted village with "human skulls, and other bones, promiscuously scattered about."

Some sections of the latter half of *Pox Americana* will be of greater interest to historians than general readers. Passages cataloging in detail where the pox went and precisely whom it killed are necessary for a work of history but also get a bit dry. Meanwhile, the illustrations and pictures, though striking, often float unexplained or unconnected to the text. But these are minor quibbles. *Pox Americana* is a considerable achievement and an extraordinary work of history that uncovers an episode that reshaped America as surely as the War of Independence.

As for me, I signed up to do my bit for the war effort—and hopefully acquire some immunity—by trying to join the National Institutes of Health study of a diluted smallpox vaccine. (Unfortunately, I didn't make the cut.) If the study can prove that a diluted dose works, we could potentially expand our existing stock of smallpox vaccine from 15 million doses to 75 or maybe even 150 million doses—a making-the-best-of-it strategy of which George Washington would have been proud. ●

Our first bioterrorism tsar?

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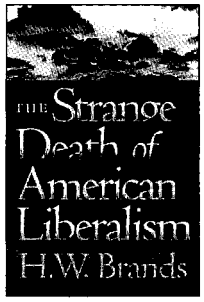
Political Booknotes

Left for Dead

By Nicholas Lemann

IT WOULDN'T BE FAIR TO CALL H.W. Brands's new book a casualty of the September 11 attacks just because it posits an essential and deep-seated American anti-governmentalism that doesn't seem to apply at the moment. One of Brands's main points is that the only purpose for which this country believes a national government is needed is defense. Therefore the only time when government has truly expanded has been during war. So if government is growing now, at the dawn of the war on terrorism, that would confirm Brands's theory, not overturn it.



THE STRANGE DEATH OF AMERICAN LIBERALISM
by H.W. Brands
Yale University Press, $22.50

This is a short book, written, as Brands puts it, more as an "argument" than a history (although he is a historian, at Texas A&M). The argument is a simple one: Americans have never accepted the idea of a big central government. Brands himself, though he writes in a voice of scrupulous neutrality, appears to be an old-fashioned anti-government conservative of the Robert Taft variety, suspicious not only of the Democrats but also of both the moralist and super-hawkish tendencies within the Republican Party. Partly because his basic premise is so forceful, Brands has to spend much of the book explaining why every expansion of government since the American Revolution doesn't disprove it. Therefore, *The Strange Death of American Liberalism* reads like a long string of caveats, though a consistently interesting one.

The biggest caveat concerns the Cold War, which, if you're willing to accept it as a war, as Brands does, then brings under the capacious umbrella of Brands's theory everything government took on domestically during the fifties, sixties, seventies, and eighties, from Medicare to environmental protection to the War on Poverty to wage and price controls. In each case, Brands produces a nugget of evidence that links the domestic program to the global struggle. John F. Kennedy settled a steel strike because steel production was essential to weapons production, Dwight Eisenhower pushed through federal funding of education in the post-Sputnik National Defense Education Act, and so on. Then, when the Cold War ended, we began inexorably returning to the American state of nature, hostility to government.

Brands's book should work as a useful tonic to liberals who underestimate the difficulty of passing new government programs. But I thought he paid insufficient attention to a couple of structural pro-government forces, other than war. One is the rise of the welfare state all over the Western world during the 20th century. Brands is an implicit American exceptionalist and barely refers to any other country, but industrialism led to a bigger government just about everywhere, by generating societies complex enough to require sophisticated management and rich enough to pay for it. Yes, most countries have scaled back their welfare states somewhat, but the essential phenomenon remains and economic rather than military forces drove it. A second force in government's favor is the power of interest, which figures very small in Brands's account. Interest groups, both from business and labor, consistently lobby to have government grow in ways that help them, and if the groups are powerful they often win. Even more important, government programs that directly help that huge majority of the American public that thinks of itself as middle class don't need a military rationale to be popular. Any politician who called for returning responsibility for Social Security and Medicare to local government would quickly become an ex-politician. And if you think of public education and police protection as completing (with pensions and health care) the Big Four government benefits for the middle class, they are both being gradually federalized, for example through Bill Clinton's bill to put 100,000 cops on the street and George W. Bush's pending, but sure-to-pass, school accountability package.

Nothing would be more wonderful than for us to get the chance to test Brands's theory—because that would require a good long peace.

NICHOLAS LEMANN *is the Washington correspondent for* The New Yorker.

Rogue Notion

By Douglas McGray

AS THE SUMMER CAME TO A close, President Bush was working relentlessly to achieve what then qualified as his top defense priority: building a system to defend the nation and our allies against missile attack. Bush had packed his administration with champions of national missile defense and put the world on notice that he would amend the 1972 Anti-Ballistic Missile Treaty with Russia, which bans the kind of missile-defense testing and construction scheduled to begin next year. He had asked Congress for a 57-percent funding increase so that next year he could pump more than $8 billion into a program which, since its mid-1990s resurrection, had offered an expensive, delicately spun, and occasionally covered-up series of failures. Everyone involved in the debate had marked the date in December scheduled for the next test of key missile defense

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technology. This book, by veteran *Washington Post* defense reporter Bradley Graham, should have preceded that test during what everyone imagined would be an all-consuming national debate over missile defense.

Instead, September 11 happened, and missile defense disappeared from the front pages. Graham's book, once ahead of the news, now seems passé. Which is unfortunate, because it makes a very good point: that missile defense is one of those *Friday the 13th*-type Washington issues that keeps coming back to life no matter how many times you think it's died. Sure enough, Bush is still pushing the idea, as his recent agreement with Putin to amend the ABM treaty to allow testing makes clear.

HIT TO KILL:
The New Battle Over Shielding America from Missile Attack
by Bradley Graham
Public Affairs, $27.50

The White House is touting September 11 as proof of America's vulnerability to foreign attack and, by extention, need for a missile defense system (even though the attacks showed that our greatest vulnerability isn't from missiles). By contrast, *Hit to Kill* articulates a version of the debate usefully frozen in time before September 11, immortalizing the unfortunate positions such missile defense advocates as Curt Weldon (R-PA) seized upon to criticize the Clinton administration: "Because of the president's misguided decision, our children will remain completely unprotected against the weapon of choice for rogue nations and terrorist groups—the missile."

Hit to Kill opens at the dawn of the missile era as German V-2 rocket are "slamming one-ton explosive loads into British neighborhoods." It was also the dawn of missile defense. General Electric released a report that concluded—in a phrase missile defense proponents soon would have become accustomed to—"that such a defense was beyond the scope of contemporary technology." By the 1960s, under heavy lobbying from congressional Republicans and the Pentagon, President Lyndon Johnson and Secretary of Defense Robert McNamara agreed to support a limited missile-defense system, while "the technical debate left the impression that for every expert declaring that missile defense would not work, another was ready to argue that it would." And so on through the 1970s, the Reagan and Bush years, Star Wars, and Brilliant Pebbles, the space-based, kinetic-energy weapons program.

When Bill Clinton became president, he quickly shelved a failing missile defense program in favor of theatre missile defense, a portable system that can pick off short-range missiles in flight. Through the lean years, NMD advocates kept at it. Newt Gingrich included an ambitious program in the Contract with America. Bob Dole was even prepared to ride the issue to the White House until the Congressional Budget Office slapped a discouraging $60 billion price tag on the Dole-Gingrich plan. Activist Republicans returned to the issue two years later, this time from outside the government. Congress deputized the Rumsfeld Commission to audit the intelligence community's read on the imminence of a missile threat from North Korea or Iran.

"If there was a single moment in the late 1990s when events began to turn in favor of those advocating a national missile defense," Graham writes, "this was it." The commission criticized the intelligence community for being too compartmentalized by security clearances and for underestimating the help China or Russia might provide to a country like North Korea or Iran. The commission wound up favoring a missile defense policy "revised to reflect the reality of an environment in which there may be little or no warning" that a country has engineered long-range nuclear muscle.

Graham describes how the commission's report spurred congressional Republicans to action and cowed the intelligence community. North Korea's surprise launch of a rocket capable of hitting Alaska and Hawaii persuaded the Clinton administration to reconsider. "[Albright] and the others had checked their ideology at the door and were responding to a changed strategic environment," Graham writes.

Clinton attributed congressional Republicans' support for missile defense to "theology," but *Hit to Kill* never examines other motivations, such as special interests—aerospace giants Boeing and Lockheed Martin don't appear until Congress starts writing checks. In much of Graham's account, national missile defense seems to have originated in briefing rooms, with minor disagreements over feasibility that only occasionally were made public.

Graham is most penetrating when he questions his array of sources on the construction and testing of the "ex-atmospheric kill vehicle"—the weapon designed to pick off an incoming enemy missile at 15,000 miles per hour. Initially, he explains, the Pentagon invited Boeing and Raytheon to compete for the design contract. Tens of millions of dollars later, Boeing was disqualified for exploiting sensitive Raytheon documents left behind in a Pentagon briefing room. A series of ugly failures followed, including a chemical leak that destroyed one kill vehicle in flight, and a failed booster rocket that tanked another test. In a rare show of heat, Graham reveals how the Pentagon's growing frustration with Boeing as chief contractor brought about the firing or replacement of 40 project managers.

Graham finally takes the debate out of the briefing room to the Marshall Islands for the third flight test of the kill vehicle—whose failure he credits with influencing Clinton's decision not to deploy the system. It is a vivid scene. A Lockheed Martin marketing specialist puts on extra lipstick and kisses the kill vehicle before launch. Greenpeace activists slip onto the island, to be stopped

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just off the launch pad—not by security, but by the Pentagon's test director and a Lockheed manager who race to the scene in a golf cart. And when the interceptor finally arcs over the ocean and misses its target, Graham is there to document the defeat. *Hit to Kill* is good. But it may not be a good enough story to draw readers away from a suddenly changing news climate.

DOUGLAS MCGRAY *is a contributing writer for* Foreign Policy *magazine.*

The Shopping News

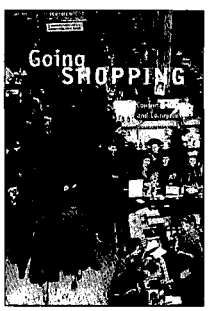
By Joe Dempsey

"I UNDERSTAND CLEARLY THE horror, and the reason people are down and depressed, but we have got to pull together and get the economy moving again," Maryland Governor Parris N. Glendening told *The Washington Post* at the end of September. He and four other governors had just flown to New York City, where they caught a Broadway show and ate Reuben sandwiches and cheesecake at the Carnegie Deli—all to show Americans that "it's okay to go shopping," even in the wake of a calamity.

The Lion King probably wasn't on the mind of Washington, D.C., city planner Ann Satterthwaite when she wrote *Going Shopping: Consumer Choices and Community Consequences*, but the good-faith efforts of those like Glendening to get people out there spending underscore an idea central to her book—that shopping is a public concern which should be treated as such.

Satterthwaite offers a wide-ranging look at what she considers the social and civic role of retailing, including a history of shopping and a prediction of future trends. Parts of *Going Shopping* feel a little nostalgic, even though the book is new—not too long ago, the sight of governors urging people to spend would have been strange—it seemed we were shopping too much, not too little. The Smiths were spending themselves into debt to keep up with the Joneses, often at the expense of spending more free time with the family, becoming more involved in the community, or simply enjoying life's ephemeral pleasures. Not only were too many Americans bowling alone, they were spending too much on shiny new bowling balls.

Satterthwaite anticipates the paradox of an economy built on consumption, something we've experienced firsthand since September 11. While shopping (well, too much shopping, anyway) may be bad for the individual, the environment, and, of course, urban planning, it's clearly vital to our nation's fiscal health. "It is hard to determine whether rising aspirations or the economy's need to sell more goods came first," she writes, "but they have been intricately connected."



GOING SHOPPING: Consumer Choices and Community Consequences
by Ann Satterthwaite
Yale University Press, $39.95

While Satterthwaite couldn't have anticipated September's attacks, she does recognize that the frenetic consumerism of the 1990s was approaching an end. She warns that if Americans have finally dropped from shopping, "the retail world, whose survival depends on satisfying consumer demands, will have to respond." While no specifics are provided, she does offer one scenario that may make for an instructive parallel. In the late 1960s and early 1970s, retailers responded to the hippie movement not by dismantling suburban consumer culture, but by co-opting hippie fashion—leading one to wonder whether today's retailers might respond to the soul-searching that's followed recent events by appealing to our suddenly "simpler" lifestyle.

As a critic, Satterthwaite is not one of those fusty public scolds who sees shopping as the root of all evil. Rather, she views it as a force behind everything from suburban sprawl to savings rates, and even as a potentially liberating activity. In what now qualifies as a timely aside, she notes that in Riyadh, Saudi Arabia, women who visit malls can escape the scrutiny of religious police, remove their veils, and "enjoy some wafts of freedom."

Using shopping as a framework allows Satterthwaite broad latitude to delve into related subjects. Along with consumption, for instance, there's a chapter devoted to urban planning, including retail's prominent role in the designs of preplanned communities like Greenbelt, Maryland, and Reston, Virginia. She also suggests community policies that will ensure the market meets retailing needs, such as reversing retail gentrification by having communities subsidize non-boutique stores.

Though interesting, these sections owe a debt to earlier works, such as James Howard Kunstler's *Geography of Nowhere* and Joel Garreau's *Edge City*. But Satterthwaite does demonstrate how edge cities and their mammoth private malls have displaced shopping venues from their once-central role in American civic life. As Satterthwaite's historical material reveals, large department stores once were central to communities: Filene's in Boston sold $51 million in war bonds during World War II. Atlanta's Rich Department Stores let school teachers cash city-issued scrip during the Great Depression, and, after World War II, gave returning servicemen cash advances. The Chevy Chase branch of D.C.'s now-defunct Woodward & Lothrop housed a 300-seat auditorium that outside groups could use for free.

Times change. In 1996, someone circulating a petition for Ralph Nader's candidacy was denied access to a mall until he secured the approval of the New Jersey Supreme Court. So it is no small irony that in light of September's terrorist attacks, spending your money at the mall may turn out to be a statement of civic responsibility.

JOE DEMPSEY *is a research associate at the New America Foundation in Washington, DC.*

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Solitary Scribbler

By Charles W. Bailey

THE SCRIBBLERS, THE SCHOLARS, and the scribes may at last be able to come to closure with Richard Nixon. They have been on his case for a half-century without ever getting in a knockout punch; indeed, the only U.S. president ever forced to resign came oh-so-close to salvaging his shattered reputation before he died. The shelves already groan under the weight of books, articles, tapes, and transcripts.

So why bother with another? Why take one more shot at the Old Lion?

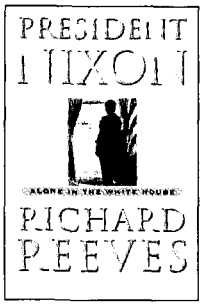
The answer is simple. *President Nixon: Alone in the White House*, by veteran national political reporter Richard Reeves, is the best account, from Nixon's own perspective, of the critical years between 1968 and 1972, when the seeds of Watergate and that whole noxious period were planted. Reeves offers a carefully researched and well-crafted history of Nixon's attempt to bend the people's government to his personal biases, which requires revisiting the plot to cover up Watergate.

Reeves, who previously published a first-rate biography of President Kennedy, revisits the key aspects of Nixon's disastrous Vietnam policy and also his one true diplomatic triumph, the restoration of U.S. relations with China. His fascinating account of Nixon's meeting with Mao Zedong appears to draw heavily on the memory and note-taking skills of Winston Lord, a young Kissinger aide who later served as U.S. ambassador to China.

But the most personal and revealing part of this book is a series of memos Reeves has unearthed, through which he attempts to show how Nixon lived his day-to-day life during that critical period of history, to "reconstruct the Nixon presidency as it looked from the center." As the book's title suggests, it frequently looked very, very lonely.

Nixon waited until late at night to pen these memos to himself. He did so when he was alone in his office, alone in the Lincoln bedroom, alone at Camp David, or alone across the street in his monastic hideaway in the Old Executive Office building—always alone, almost always in the dark, and sometimes, even in August, with a fire blazing. In such solitary precincts, Nixon's mind raced as he pondered the future:

> *I must get away from the thought of considering the office at any time a burden. I actually do not consider it a burden, an agony, etc ... it is God's great gift to me to have the opportunity to exert leadership, not only for America, but on the world scene. From this day forward I am going to look upon it that way and rise to the challenge with as much excitement, energy, enthusiasm, and, wherever possible, real joy I can muster.*



PRESIDENT NIXON: Alone in the White House
by Richard Reeves
Simon & Schuster, $35.00

As such passages indicate, self-appraisal was the dominant theme in these very private memos. Nixon had few close friends, and only limited interaction with his aides. While these memos do little to counter the public image of the president as paranoid and grave, they do often reveal stunning personal assessments in which Nixon strove to change himself. He was not, of course, a joyful man. But he resolved to try to be one:

> *Goals: Personal: 1. Make people have a memorable experience each day—2. Be worthy of 1st man in nation and in world ... Spiritual: Add element of lift to each experience ... Hard work - Imagination - Compassion - Understanding of young - Intellectual expansion - Cool - Strong - Organized - Temperate - Exciting.*

His longing for personal improvement had a darker side—his frequent feelings of mortality, which were a subject of his memos. In one such self-addressed memo, this one on his birthday in January 1973, Nixon grapples with his advancing age, and seems tortured by what he perceives to be his lack of accomplishment:

> *Age- Not as much time. Don't spin your wheels. Blessed with good health ... Older Men—De Gaulle, Ike, Yoshida, Adenaue, Churchill, Chou En Lai, Hoove .... No one is finished—until he quits.*

Though Reeves does deliver a blow-by-blow account of this pre-Watergate period, unlike most earlier Nixon books, *Alone in the White House* doesn't focus so much on action (or on Nixon's aides) as it does on the president's personal writing. But in doing so, it paints a picture of the president that one can't help feeling is very similar to the way Nixon must have felt himself.

This book may not answer all the questions about Nixon, but you won't find another that tells as much about this enigmatic man.

CHARLES W. BAILEY *was White House correspondent during the Johnson and Nixon administrations for* The Minneapolis Tribune.

Pagan Morality

By Laura Rozen

THE HUMAN RIGHTS COMMUNITY has never forgiven journalist Robert Kaplan for his award-winning 1993 book *Balkan Ghosts*, whose depiction of ferocious ethnic hatred in the former Yugoslavia is said to have spooked Bill Clinton into withholding U.S. troops from Bosnia until late 1995, until more than 200,000 people had been slaughtered.

Though Kaplan in fact advocated U.S. intervention in Bosnia as vital to our strategic interest, he is *persona non grata* to humanitarians horrified by his dark view of the world. In *Warrior Politics*, Kaplan summons the great classical writers on foreign policy and conflict to make his case for a "realist" American poli-

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abroad. Those who favor U.S. intervention may not appreciate Kaplan's prescription for an American foreign policy based on self-interest rather than humanitarianism. But what is valuable about Kaplan's latest book is that it forces even his opponents to consider global developments—from population explosion and environmental degradation to post-colonial breakdown—and their impact on our role in the world from a point of view different than the one found in conventional news and diplomatic coverage.

"This is not an essay about what to think," Kaplan writes in the opening pages of *Warrior Politics*, "but about how to think." Specifically, Kaplan wishes us to think harder about how U.S. values appear to the rest of the world. Developing countries try to emulate America's democratic capitalism which, Kaplan argues, places a premium on putting forth an image of strength. "If we are weak militarily—if we aren't able to meet the rising challenges of warriors—our political values may be eclipsed worldwide," he writes. To bolster this assertion, Kaplan embarks on a survey of great thinkers on war and statesmanship, including Hannibal, Thucydides, and Machiavelli, and, to a lesser degree, Churchill, Kant, and Hobbes, and explains how the lessons they offer apply to U.S. foreign policy.

WARRIOR POLITICS:
Why Leadership Demands
A Pagan Ethos
by Robert Kaplan
Random House, $22.50

Kaplan views ancient Athens as the best parallel to the modern U.S., arguing that both societies' affluence softened them to the ever-present barbarism that is the downfall of great societies. Soon after Pericles delivered his famous funeral oration on the virtues of the Athenian citizenry, a plague swept the city and those same citizens turned on each other like beasts. "Thus," Kaplan concludes, "the more socially and economically advanced the time, the more necessary it is for leaders to maintain a sense of their societies' fallibility and vulnerability: That is the ultimate defense against catastrophe."

He invokes Machiavelli to maintain that good statesmanship and responsible statecraft require political leaders to focus on the morality of results, not intentions: "If it isn't effective, it can't be virtuous." Kaplan points to the United Nations' decision to hold a referendum on independence in East Timor as an example of the sin of disregarding warnings. Knowing that a referendum would likely spur massive violence by anti-independence forces, the U.N. proceeded anyway, setting off massacres which prompt Kaplan to conclude that "in its startling lack of foresight, weak planning, and chaotic implementation, the U.N.'s exercise in democracy lacked Machiavellian virtue."

By contrast, Kaplan praises the decision of Jordan's King Hussein to dissolve his pro-Soviet government and impose martial law in 1957, and to suppress rebellious Palestinians in the 1970s and 1980s. "King Hussein's antidemocratic acts," he writes, "saved his kingdom from forces that would have been crueler than himself—His violence, therefore, was central to his virtue."

What's troubling is that Kaplan offers citizens no way to "institutionalize" the virtue of their rulers. Though he praises the U.S. decision not to insist on democracy and human rights in places like Jordan, Egypt, and Turkey, such expediency seems debatable in the wake of September 11, as we've come to see the costs of supporting "friendly" regimes whose suppressed populations blame the U.S. for their political grievances. Though he doesn't address this argument, Kaplan knows from experience what such societies are like. "I saw firsthand the creation of warriors at Islamic schools in Pakistani slums," he writes in a chapter on Achilles that eerily anticipates the al Queda attacks. "The children of those shanty towns had no moral or patriotic identity except that which their religious instructors gave them. An age of chemical and biological weapons is perfectly suited for religious martyrdom."

Beyond Islamic militants, Kaplan identifies a burgeoning new warrior class in the criminal underworld of former Communist countries. He believes that these new warriors will also, as a matter of necessity, attack us without regard for the Geneva Convention: "America's military superiority guarantees that such new adversaries will not fight according to our notion of fairness: they will come at us by surprise, asymmetrically, at our weakest points."

Implicit in *Warrior Politics* is the notion that reducing poverty and political grievances in the developing world is profoundly in our national interest. Kaplan puts forth Gen. George Marshall as the ideal of level-headed statesmanship for his focus on necessity and self-interest. "The Marshall Plan was not a gift to Europe," Kaplan writes, "but an effort to contain Soviet expansion; when necessity and self-interest are properly calculated, history calls such thinking 'heroic.'" Today's U.S. leaders, he implies, should heed such advice in the case of poor countries whose extremists represent the equivalent strategic threat to the U.S.

While Kaplan explains the strategic consequences of environmental degradation, population explosion, and the vast poverty of the developing world, he fails to explicitly endorse U.S. investment in reducing poverty, relieving debt, supporting education, and other programs proven to counter these trends. He doesn't say why.

Kaplan seems to be arguing for a bit more realism from humanitarians, while asking realists to recognize the value of the progressive agenda: Humanitarianism serves the national interest. But Kaplan fails to provide so vigorous a dissection of today's realist policies, which will undoubtedly confirm his outlaw status among human rights advocates.

LAURA ROZEN *writes frequently about foreign policy for* Salon.com.

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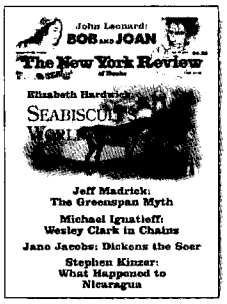

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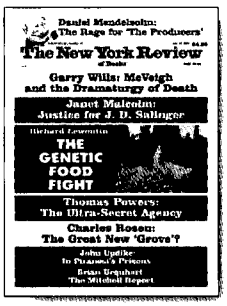

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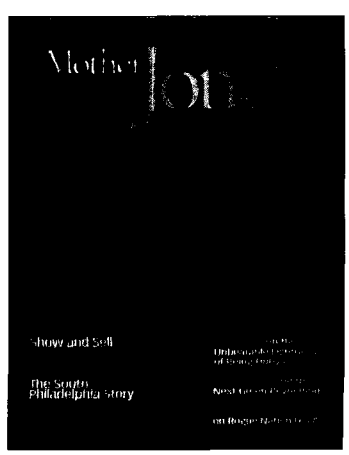

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